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The Solicitors' Journal.

LONDON, JANUARY 1, 1876.

CURRENT TOPICS.

ON THIS DAY the Land Transfer Act, 1875, comes into operation, and, according to a practice which seems to be growing into a custom, it comes into operation before the rules, on which its working will entirely depend, have been framed, or, at any rate, before they have been issued for the consideration of the profession. In this state of things, we do not propose to say more about the new system of registration than that from to-day it is in operation, and landowners may apply to the registrar to register their titles. Whether they will be well advised to do so before pondering the rules, and, if they do apply, how far the registrar can accede to their application before the code which is to regulate his proceedings is promulgated, are questions which we shall not discuss, but leave to the experience and good sense of our readers.

THE LAND TRANSFER ACT, 1875, which, as we have above observed, comes into operation to-day in rather a tottering condition, so far as its own main purpose is concerned, has yet vigour enough in it to annihilate *ab initio*, or, we should rather say, to make a desperate effort to annihilate *ab initio*, the unhappy 7th section of the Vendor and Purchaser Act, 1874. With the marked exception of one of our legal contemporaries, this section never had a friend, and even the one friend that it had became its bitter enemy when its true character was pointed out. Nobody, therefore, will regret that it has disappeared from the statute-book by a retrospective repeal, but we fancy many will wonder at the curious nature of this repeal. Why the Legislature, having come to the conclusion that a certain enactment, vitally affecting so important a matter as the titles to real estate, was injurious and ought to be repealed, should put the repeal, with a saving clause as to anything done thereunder, into an Act not coming into operation until half a year after its passing, may well excite whatever faculty of wonder is left in the minds of lawyers. To some extent the history of the measure explains this phenomenon. At first it was intended simply to repeal the section *ab initio*, and, if this had been done, every one reading the repealing Act would have notice of what its operation would be, and would accordingly have treated the section as already defunct. But, as we ventured to point out at the time, transactions actually completed—e.g., by the distribution of sale-moneys among incumbrancers,—ought not in fairness to be disturbed, and some saving clause to meet this class of cases would be only right. At the same time we intimated that great care and considerable draftsmanship would be required in paring down the saving clause to its proper dimensions. Mr. Charley, it seems, from his edition of the Act, is the author of the saving clause as it stands, but who will be the judge who will give it a satisfactory interpretation remains to be seen. To repeal an enactment *ab initio* "except as to anything duly done thereunder" may mean anything or nothing. The whole

pinch of the construction seems to rest on the word "duly," a word which, so far as we know, has no technical meaning, and which in ordinary language is plainly a word of the most flexible description. Another word that will call for interpretation is "thereunder," which may mean "during the period which elapsed from the passing of the repealed enactment down to the date of its repeal"—though this would apparently reduce the retrospective action of the repeal to a mere nullity—or may mean "in reliance on the enactment." The whole of the repealing clause is, in fact, a mystery to us, and we shall wait with much interest to see how it bears the stress of a contested case. In the meantime conveyancers will probably be called upon to consider its effect, and we wish them joy of their labours.

DISCITE JUSTITIAM MONITI is a motto which the law advisers of the Government seem to have tolerably mastered in the new circular on fugitive slaves, which follows pretty faithfully the lines indicated by public criticism, leaving us only to regret that eminent professional lawyers, who are also responsible constitutional advisers, should need to make their acquaintance with fundamental principles of English law for the first time through the columns of the press. The new circular practically admits the justice of every part of the criticism which, at the time, we ventured to make upon the one now withdrawn; and although it seems not to satisfy the demands of the Anti-Slavery Society, we think that their objections will, on reflection, not appear tenable, and that, except in one point, no reasonable exception can be taken to its terms. "The broad rule . . . that a fugitive slave should not be permanently received on board any description of ship under the British flag unless his life would be endangered if he were not allowed to come on board" (a sentence which might have been dictated by a slaveholder who had forgotten even common logic), as well as the instruction to captains of British vessels to proclaim everywhere through the world that slaves will not "find their liberty by getting under the British flag afloat," has disappeared; and in place of a grandiose enunciation of vicious principles, we have only directions for practical action. The direction to "surrender" slaves received on board on the high seas as soon as the vessel arrives within the "territorial limits of the country from a vessel of which the slave has escaped," has also disappeared, and in place of it commanders receive the sounder instruction, in no case, not even when the slave comes on board within the waters of another State, "to entertain any demand for his surrender, or enter into any examination of his status." As a matter of course, the ill-omened reference to the "vessel" from which the slave may have escaped also disappears.

With respect to the case of slaves coming on board on the high seas, commanders are directed to satisfy themselves before receiving the fugitive that "there is some sufficient ground in the particular case for their receiving him," the reason being the practical one that "her Majesty's ships are not intended for the reception of persons other than their officers and crew." The reason is in itself a true and sensible one, but we question the necessity for giving the direction, and still more the propriety of coupling it with the rule that a special report is to be made of every such case. There ought not to be even an approach to admitting or recognizing the principle of slavery on the high seas, and the inconvenience of taking strangers on board might be safely left to determine the judgment of the commander, without calling upon him to report why, in the case of any particular stranger, he extended to him the duties of humanity. This seems to us to be the blot in the circular. It is followed, however, by the instruction that, where a slave is so received, he is to be retained until he is "landed in some country or transferred to some other ship, where his liberty will be recognized and respected." This is in the true spirit of English traditions, and is a most whole-

some correction to the novel and base tone of the earlier document.

When the ship is within the waters of a slave State a fugitive slave seeking admission is not to be received unless his life would be otherwise manifestly endangered; and, if so received, he is not to be permitted to remain on board after the danger is passed. What amounts to danger to life, or to the continuance of such danger must, of course, be determined by the judgment of the responsible officer, and similar circumstances will no doubt be variously interpreted. But we cannot see that exception can justly be taken to the instruction. It would lead to great embarrassment if a different course of conduct were pursued. The very attributes of a public ship impose conditions of caution and reserve on its conduct in friendly waters; and it can easily be seen that to allow British ships of war to become indiscriminately refuges for the slaves of the country might be injurious to the interests even of the slaves themselves; it would benefit a few at the expense of the many. Is there, then, any principle requiring public ships to receive and retain fugitive slaves in the waters of foreign countries? We can see none. Admitting that by coming on board the vessel a slave acquires his freedom (though this cannot obviously be stated in an absolute sense, and means only that the foreigner so situated is not liable to any claim founded on slavery), it does not follow that the commanders of ships are bound by any rule of law or morals to permit him to remain on board. A ship, though for some purposes likened to the territory of the State, is obviously not such in fact, and cannot be so treated for all purposes. It is an artificial construction of very limited space, and made for definite purposes, which is moveable, and is in the instance placed within the limits of a foreign State. To insist on pushing to all lengths the analogy between such a machine and the *terra firma* is a practical absurdity. We cannot, therefore, assent to the criticisms passed on this part of the circular, and we at the same time gladly take note that, though the fugitive is not to be allowed to remain permanently on board, there is nothing to deprive him of the power of making good his escape, for the commander is in no case to surrender him or to entertain the question of his *status*.

The remaining part of the circular deals with the case of certain States our relations with which are regulated by treaty, and does not call for further remark. As far as we understand the instructions on this branch they seem sensible and practical, and leave a due discretion to those who are to put them in force.

On the whole, we think there is reason to be satisfied with the new circular, and we trust that the opponents of the system of slavery will consider carefully their action in this matter, and will not damage their excellent cause by ill-considered and unreasonable demands.

OUR READERS will recollect that the 5th section of the Vendor and Purchaser Act, 1874, enacts that "upon the death of a bare trustee of any corporeal or incorporeal hereditament of which such trustee was seised in fee simple, such hereditament shall vest, like a chattel real, in the legal personal representative from time to time of such trustee." This section is repealed and reappears with amendments in the 48th section of the Land Transfer Act which comes into operation this day. It seems that some people thought the section took away the power of bare trustees to devise the legal estate, and, according to Mr. Charley (see his edition of the Land Transfer Act, p. 176), in some cases it was found necessary to get the devisee, the heir, and the legal personal representative to join in the conveyance of the bare trustee's estate, though why, when there was a devisee, the heir should join we cannot see. To remove these doubts Mr. Charley has given us the improved enactment to which we have referred. It provides that section 5 of the former Act shall be repealed on and after the commence-

ment of the later Act, except as to anything duly done thereunder before the commencement of this Act,—a concatenation of words which appears to us to be purely and absolutely meaningless. It is as if an enactment which came into force on Monday is repealed from Saturday, except as to anything duly done thereunder on Tuesday, Wednesday, Thursday, and Friday. What is this but nonsense? The improved enactment is, that on the death of a bare trustee *intestate as to hereditaments of which he was seised in fee simple*, such hereditaments shall vest like a chattel real, &c. As to future transactions the law will be free from the doubt which seems to have been cast upon it, though there still remains the doubt as to what is meant by the expression "a bare trustee"—namely, whether it means a trustee without any duties to perform, or a trustee who is simply a trustee and has no beneficial interest. But we would ask any one to consider what is the effect of the repealing section on cases of the deaths of bare trustees between the dates at which the two Acts came into operation. Are the courts to hold that the earlier enactment was, in fact, the same as the later, in which case the later, notwithstanding its form, must be regarded as merely declaratory? or will the saving clause, meaningless as it is in its general purport, yet be sufficiently regarded to give countenance to the idea that under the former enactment a bare trustee could not devise the trust estate? The whole thing is a bungle, and we implore the learned author of the repealing section not to try his hand at improving Acts of Parliament during the coming session.

WITH REFERENCE to the complaints which have been rife at the equity bar of late of slackness of business, it may be stated that the entry of causes during the last sittings showed no diminution, as compared with the same period in the previous year. We have found upon investigation that from the 2nd of November to the 23rd of December, 1874, the causes set down before the Master of the Rolls and the three Vice-Chancellors numbered 313, and that there were besides 26 appeals, making in all 339 causes set down. During the same period in 1875 the causes and actions set down before the Master of the Rolls and the three Vice-Chancellors were 341, and the appeals were 35, making 376 in all. The result is an increase of 37, of which 9 are appeals. There were also 2 county court appeals set down for a divisional court.

THE INTERVIEW of the deputation from the Justices' Clerks' Society with the Home Secretary, which will be found fully reported elsewhere, resulted in an intimation by Mr. Cross that it will be impossible to carry out the principle of a uniform scale of fees to be charged in every county and borough, and a statement by him that he will do all in his power to change what he admitted to be a very anomalous state of things. This is as much as could be expected at present, and there is good reason to believe that, before long, action will be taken in the matter.

A Bill has been introduced into the United States Senate extending the duration of the Court of Commissioners of the Alabama Claims until the 22d of July, 1876, and the powers of the clerk of the court until the 22d of September, 1876, for the purpose of closing his accounts.

The removal of the business of the Local Government Board from Gwydr House, Whitehall, to that portion of the new buildings in Charles-street appropriated to the Department is fast progressing, and the Board will in a few days be in possession of their new offices. Immediately after Gwydr House is vacated by the Local Government Board, the Charity Commissioners, now located in St. James's-square, will remove to it.

THE NEW PRACTICE.

SIGNING JUDGMENT IN DEFAULT OF APPEARANCE IN CASE OF A LIQUIDATED DEMAND.—The practice of signing judgment in default of appearance is quite new in the Chancery Division of the High Court, and our readers may be glad to know what the course is in such a case. From information with which we have been favoured by the vacation registrar we are able to give the following summary. The writ having been issued and served, the plaintiff's solicitor waits the time (eight days) within which the defendant may appear. He may then procure from the Record and Writ Clerk a certificate of non-appearance. Having previously indorsed his writ with the day of service in due time (ord. 9, r. 13), he makes his affidavit of service, which he files (ord. 13, r. 2), and of which he takes an office copy. Printed forms of the affidavit are sold at the law stationers. A printed form of the judgment (app. D. 1) is then filled up by the solicitor, and with this and the writ, certificate, and office copy affidavit, and, if necessary, a certificate of the lower scale, he goes to the registrar. If he has also provided himself with a second printed form of the judgment he may (upon the registrar signing judgment) get the original entered on the record while he waits. Otherwise it may be had from the entering seat on the following morning. The judgment will be dated as of the day on which it is signed, and will be for the amount indorsed on the writ, and interest, if any, at the rate claimed, calculated up to the day of signing judgment. The judgment may also be for the amount of costs indorsed on the writ (ord. 13, r. 3), or it may be simply "costs to be taxed." The stamp on the judgment will be 10s. for the lower scale, and £1 for the higher. This is the practice so far as at present established, and should any alterations occur they will be duly notified.

THE NEW SYSTEM OF PLEADING.—We think it probable that some very remarkable specimens of pleading under the new system have come before judges at chambers. From observations we have heard made by practitioners not eminent for their knowledge of the old system of pleading, we are inclined to think that they imagined a kind of millennium had arrived in which they would be totally *lege soluti*, and might revel in unfettered freedom with regard to their pleadings. It can hardly be admitted that the best qualification for a pleader under the new system is ignorance of the old system. Some cases recently decided at chambers seem to show that a certain amount of salutary strictness is already developing itself with regard to the forms of pleading. In the case of *Askew v. The North-Eastern Railway Company* (ante, p. 120), in the statement of claim there was the following paragraph:—"The defendants do not dispute, but have in their correspondence with the plaintiff's solicitors admitted, that the plaintiff and his tenants are entitled to have access to the quays, &c., and have expressed their willingness to make the necessary arrangements, and to give all facilities for that purpose." The judge asked by what section of the Act plaintiffs were enabled to plead admissions made by the other side to their solicitors, and he struck out the paragraph. In *Jones v. Turner* (ante, p. 121), a statement of claim contained various paragraphs setting out what the defendant told the plaintiff. Quain, J., struck out these paragraphs as embarrassing, but as it was one of the peculiar cases in which the plaintiff's case was in the defendant's knowledge, he ordered the amendment to be deferred until after the defendant had answered interrogatories. If the gentlemen who drew these statements had read the remarks we have on different occasions made on the subject of the new pleadings, they would have found a rule laid down fatal to such a mode of pleading. In fact we put the very case of an admission made by the party. The vice of the pleading was that it was pleading evidence. The fact that a party has made an admission is not

directly material; it is only material as evidence of something else, viz., of the existence of the fact admitted. We take it that pleadings under the new system are to be only of directly material facts.

LEAVE TO DEFEND WHERE WRIT SPECIALLY INDORSED.—An important point was decided by Quain, J., at chambers, on the 10th of December (reported *ante*, p. 141), with reference to the procedure under ord. 14, r. 1. That order enables a plaintiff, when the writ of summons has been specially indorsed, on an affidavit verifying the cause of action, to call on the defendant to show cause why judgment should not be signed. In the case in question the plaintiff had availed himself of this provision, and the defendant, in answer to the application, relied on an affidavit in which he swore generally that there was a good defence to the action. The judge ruled that such an affidavit was not a sufficient answer to the application, and insisted on going into the merits. This view appears to us to be a very salutary one. An affidavit generally stating that there is a good defence without showing what are the facts relied upon is one which a party has very little difficulty in making. The words of the order provide that the defendant must satisfy the judge, by affidavit or otherwise, that he has a good defence, or disclose such facts as the court or a judge may think sufficient to entitle him to be permitted to defend the action. These words seem to contemplate something much more definite than a mere general affidavit of merits. In the analogous case of a proceeding under the Summary Procedure on Bills of Exchange Act, the affidavit for leave to defend must disclose a legal or equitable defence, or such facts as would make it incumbent on the holder to prove consideration, or such other facts as the judge may deem sufficient to support the application.

THE LAW OF MURDER.

In the discussion which has taken place as to the nature of the crime committed by the man Thomas at Bremerhaven, it seems to have been supposed in some quarters that the principal question involved is one of malice, and the familiar cases have been quoted where a man intending to kill A. kills B., and yet the law implies malice against B., and it is murder. A much more difficult topic is involved, as has appeared from subsequent discussion—viz., the question at what period a criminal intent conceived in a man's mind is so far carried into action as to make him guilty of the crime which his mere intention did not constitute. The suggested difficulty is, we expect, not that Thomas did not intend to kill the persons assembled on the quay at Bremerhaven, but that he had not yet got to that stage of the process of transmuting the mere intention into the act at which there was a present immediate intention, or act of willing, to commit a crime against anybody.

Let us take an illustration. A man conceives an intention of murdering A. He purchases for that purpose a pistol and loads it. While he is going to the spot where A. is for the purpose of shooting him, somebody jostles him in the street, and the pistol goes off in his pocket and shoots B. We cannot think that this would be murder, and yet if he had not intended to shoot A., he would not have had the pistol in his pocket, and B. would not have been killed. Now, the difference between a pistol and a ton of dynamite which would blow up a whole town cannot, in our view, constitute a difference of principle, and we cannot help thinking that a certain prejudice is created by the diabolical nature of Thomas's scheme and the extraordinary danger of the explosive he used which has tended to obscure the principles really involved. Again, suppose that in the process of the manufacture of a diabolical apparatus, such as that devised by Thomas, the thing explodes and kills a person in the street, we

doubt whether that could be twisted into murder. Let us suppose—what, of course, might be difficult of proof in such a case, but conceivably might be proved by admissions made by the prisoner—that he did intend, when manufacturing the article, to use it for what would have rendered him guilty of murder if death ensued. We should hope that in such a case the law could somehow see its way to making it manslaughter and a judge to imposing a sentence of penal servitude for life, but it does not appear to us that that stage would have been reached at which the law implies the malice or intention which, in cases of death caused by the acts of another, constitutes the crime of murder. In the cases above supposed there is, it would seem, a *locus penitentiae*; no irrevocable step has yet been taken in pursuance of an actual present intention to commit a felony. The man going with the pistol, if he had not been jostled, might have changed his mind at the last moment and returned without shooting A.; and so with the man manufacturing the infernal machine.

Mr. Fitzjames Stephen, in his letter to the *Times*, comes to the conclusion that our law on this subject differs from that of Germany; that our law would have made Thomas a murderer, while the German law would not; and he also refers to the French law as substantially similar. We agree with Mr. Stephen that one must speak with diffidence as to the effect of foreign codes, but it seems to us that on the passages and authorities cited by him it may well be argued that Thomas was guilty of murder both by the German and the French law on the very same grounds on which we should say our law would make him guilty of murder; on the other hand we cannot agree with the principle on which Mr. Stephen makes Thomas guilty of murder by our law. We need not repeat his citations from the German and French codes. The substance of the provisions of both codes is that there is an attempt where there is an intention manifested by a "commencement of execution;" the French law considers the attempt the same as the full crime unless it has been voluntarily suspended by the criminal or has only failed owing to circumstances beyond his control; but the German law does not punish the attempt at murder so severely as the full crime. The practical question, therefore, so far as French law is concerned, would seem to be simply whether there was in Thomas's case a commencement of execution. As regards the German law there is a further question, viz., whether, assuming that an attempt at murdering A. was made, there having been a commencement of execution, the fact that B. was accidentally killed through such attempt amounts to the crime of murder itself. Now, with all respect to Mr. Stephen, we cannot help thinking that by French law there was most distinctly what amounted to a commencement of execution. The opinions he quotes of Messrs. Chauveau and Helie do not, if we understand them rightly, show the contrary, and he admits that the Bordeaux case which he cites as a second authority has not been followed by the Court of Cassation. To put the matter as low as possible, these authorities are certainly not conclusive to show that Thomas by French law had not begun to execute his intention. We will return to this point hereafter when we come to discuss the English law. As to the German law it appears, from a letter written to the *Times* by a German, that it has been held that if a man intends to shoot A., but in the execution of his intention misses A. and shoots B., he comes within the German definition of the crime of murder. If this be so the German law would seem to be that if Thomas had begun to execute his intention—assuming that that intention amounted to an intention to commit murder—he would be guilty of murder in respect of the deaths that actually happened, though not according to his intention. We cannot doubt that, however meagre the words of the German code are, the principle that a man must be taken to intend the natural consequences of his own acts must be applied to its interpretation, and, although the death

of any person was not in one sense the intention—that is, it was not the primary intention—of Thomas at all, yet, if the ship had been blown up and any one had been killed, it would have been murder by the German law. If so, it follows that his intention was to commit murder, and if he had commenced the execution of it, it is exactly like the case of killing B. in the execution of a design to kill A., which it would seem by German law has been held to be murder.

The whole question, therefore, seems to resolve itself, in the case of both French and German law, into the question whether there was a commencement of execution. It seems to us that, according to any system of law, there was. But before discussing this we must advert to Mr. Stephen's view of our law. He seems to say that, according to English law, the question does not depend upon commencement of execution at all. He says that Thomas was by our law guilty of murder because he caused the death of many persons by wrongfully doing an exceedingly dangerous thing. And in another place he says that the Fenian Barrett was hung as a murderer substantially for causing death by doing an exceedingly dangerous thing without a lawful cause. We can hardly feel sure that we understand so clearly what idea Mr. Stephen has in his mind as to be able to criticise his theory fairly. So far as the mere words he has used are concerned the definition appears to us open to the strongest objection on the score of vagueness. We think we could put a score of cases that would satisfy the words and yet that are obviously not cases of murder. Mr. Stephen illustrates the French law by the case of a man intending to murder and procuring a pistol, the case which had also occurred to us before we saw his letter. He suggests, and we agree with the suggestion, that in that case there would not be a commencement of execution; but surely he would not say that this case would be murder by English law? If not, his view of the law must depend on the greater or less degree of danger; on the excess of danger in the character of an infernal machine as compared with a pistol. We do not think that this is sound law, or that the dangerous character of acts apart from the actual commencement of the felony can involve a man in the responsibility of murder. In all the cases in the books there has been an act which was indicative of an intention to cause death or a commencement of a felony. As far as we can remember, every authority of the class to which Mr. Stephen refers as supporting his view depends upon the principle that a man must be taken to intend the natural result of his acts. Again what does Mr. Stephen mean by "wrongfully" and "without lawful cause." These words are of very uncertain import. Suppose an Act made the construction of fireworks in an unlicensed place a misdemeanour, making them there would be wrongful and without lawful cause, and it would also be very dangerous, yet we should be surprised to find that, if a person were killed by an explosion of the fireworks, it would amount to murder.

The sum of the matter, in our view, is that the question really turns, according to English law, upon whether the commencement of execution has begun. It is very difficult in many cases to say when execution of a crime has begun. It is a question of fact rather than of law. To every event an innumerable host of other events have been necessary antecedents, and it is very hard to say where a particular process of action may be said to begin. But without attempting to construct a definition, we think that in Thomas's case the process of executing his murderous intention had begun. He had done or caused to be done a series of actions the result of which would be, if no countervailing steps were taken, and the event answered his intention, that, without further act on his part, the ship would be blown up. It is not like the case of the man with the pistol in his pocket. There further action is necessary on the part of the murderer. He has not commenced the actual execution, but has only taken preliminary steps. As we

understand the facts, it would seem that there was nothing more to be done by Thomas to procure the shipment of an apparatus which was already prepared for its diabolical purpose. It was, in fact, being shipped in accordance with his orders. It seems to us that the position of Thomas was exactly like that of a man who has dug a deep pit in a path by which he expects a person to come, or has laid a train of gunpowder and applied a lighted time fuse to it. The hole might be filled up again before the time when the victim is expected, and the fuse might be pulled out long before the gunpowder was reached; but in neither case is there a *locus penitentie*. If the victim comes four hours before his time and tumbles into the hole, or if the fuse burns faster than was expected, and the wrong man is blown up, it will be murder though there was no intention that the event should come about as it did. There was a commencement of execution of a murderous intent, through which a man was killed.

THE JUDICIAL STATISTICS, 1874.

V.—COUNTY COURTS, &c.

FORMERLY there were 59 county court circuits, but Nos. 10, 34, and 56 having been absorbed in the circuits adjoining to them respectively, 56 circuits only now remain. For Circuit No. 6, in which Liverpool is comprised, there are two judges, and for each of the other circuits there is one judge only. The entire number of plaintiffs entered in these 56 county court circuits of England and Wales in 1874, was 865,040, being a decrease of 223 as compared with the number in 1873. The number for the latter year showed a decrease of 35,512, or 3·9 per cent., as compared with the number in 1872; but, as compared with the number in 1864, there is an increase in 1874 of 126,678, or 17·1 per cent. The cases from the superior courts in 1874, numbered 655, and showed an increase of 12 as compared with the number for 1873. From a parliamentary paper (No. 123, session 1873), it appears that from the establishment of these courts in 1847, to December 31, 1872, the total number of plaintiffs entered was 18,200,811, for an aggregate amount of £48,794,746, and, adding to them the numbers for 1873 and 1874, the total number of plaintiffs entered up to December 31, 1874, will be 19,931,114, and the aggregate amount for which they were entered £54,084,378. The amount for which judgment has been obtained during the whole period is £27,286,692. In 1874 the number of days of sitting for the whole of the circuits was 8,028; and the average number of causes for each day of the sittings was 61·7. The highest average number of causes determined in one court on each day of sitting was 143, and the lowest 24. During the year 495,474 causes were determined, of which 991 were tried with, and 494,483 without, a jury. In favour of the plaintiff 288,788 judgments were given, besides 178,352 for plaintiff by consent or admission, and 11,183 for plaintiff by default. There were 9,176 judgments for defendant, and there was a nonsuit in 7,975 cases. The number of judgment summonses issued was 96,080, and the number heard 47,871. Warrants of commitment were issued in 23,232 cases; and 4,198 debtors were imprisoned. The number of debtors imprisoned gives 1 for 206·2 of the number of plaintiffs entered, with the cases from the superior courts included; in 1873 the proportion was 1 for 166·5. The executions issued amounted in number to 176,321; and the total amount for which plaintiffs were entered was £2,684,900. The amount recovered on the hearings was £1,293,409; and the costs recovered amounted to £64,901, against £64,375 in 1873, when £1,261,188 was recovered. Fees on all the proceedings in county courts amounted in 1874 to £350,152, against £342,373 in the previous year. The year 1874 was the ninth year in which the equity jurisdiction was exercised by the county courts. The amount of the subject-matter in dispute or otherwise before

the court in 1874 was £97,287, against £91,972 in 1873, and £103,491 in 1872. The attorneys' costs allowed amounted in 1874 to £5,738, in 1873 to £4,355, and in 1872 to £5,199. The number of appeals to the Court of Chancery from county court decisions in equity was 3 in 1874 and 1873 respectively, and 6 in 1872. The total equity business in the whole of the county courts for the three years was as follows:—

	1874	1873	1872
Number of plaintiffs entered:—			
For administration of estates	244	216	225
For the execution of trusts	16	16	27
For foreclosing or redemption, or for enforcing any charge or lien	82	105	96
For specific performance	99	112	89
For delivering up or cancelling any agreement for sale or purchase	7	8	5
For the dissolution or winding up of a partnership	53	44	55
Number of petitions or notices filed:—			
For the appointment or removal of trustees	25	22	24
For any other purpose under the Trustee Acts	78	104	54
For the maintenance or advancement of infants	16	11	6
For partition	22	19	21
For injunctions	39	24	30
Number of instances of payments by trustees under section 24 of 30 & 31 Vict. c. 142	41	31	51
Total number of equitable suits or proceedings	722	712	683

There is therefore a gradual increase in the equity business transacted in the county courts under the Act of 28 & 29 Vict. c. 99.

Another special jurisdiction conferred on the county courts was that under the County Courts Admiralty Act, of 1868. In 1874 the number of admiralty suits or proceedings was 399; and the amount of claims was £42,546. There were 138 final decrees; from 3 of these there was an appeal, and 1 case was transferred to the High Court of Admiralty.

In the City of London Court, which is assimilated with the county courts, but for which separate returns are made, the number of plaintiffs entered in 1874 was 14,360, against 14,900 in 1873, and 14,257 in 1872. There were also 33 cases from the superior courts as against 35 in 1873. The amount of debts recovered on the hearing was £25,488 in 1874 and £24,548 in 1873; the amounts for which plaintiffs were entered having been £63,156 and £62,584 in 1874 and 1873 respectively.

Equity proceedings in the City of London Court in 1874 were, as usual, on a somewhat limited scale, the total number of equity proceedings having been 10 in 1874, 17 in 1873, and 2 only in 1872. In 1874 there was 1 appeal, the only one on record.

The total number of admiralty suits or proceedings in the City of London Court in 1874 was 300, against 186 in the previous year. There were 79 final decrees, 7 appeals, and 5 cases transferred to the High Court of Admiralty.

In the Court of Common Pleas of the County Palatine of Lancaster there were, in 1874, 5,275 writs of summons issued, 1,940 appearances, and 1,731 judgments.

In the Court of Pleas at Durham there were, during the same period, 10 suits in which judgment was signed, and the total amount recovered was £404 5s. 8d.

With regard to borough, hundred, and manorial courts it is to be noticed that the Chancellor's Court at Cambridge, which was included in the list of courts for 1873, is now omitted as having ceased to exercise any jurisdiction. In 7 of those now included in the list no plaintiffs were entered in 1874. In the Ipswich Court of Small Pleas and in the Oswestry Court of Record there were 4 plaintiffs each in 1872, but in the 5 other courts included in the above-mentioned 7 there were no plaintiffs in that year. The total amount of debts for which judgment was obtained in 1874 was £41,262 for the Salford Hundred

Court of Record, and £36,713 in the other courts, against £38,213 and £36,584 respectively in 1873. The amount of costs for the Salford Court in 1874 was £10,149, and of fees £3,636; and for the other courts the costs amounted to £5,419, and the fees to £2,313.

The number of actions entered in 1874 in the Lord Mayor's Court of London was 12,755, being less than the number for 1873 by 2,612, or 16·9 per cent. With regard to this falling off, the registrar observes that it does not arise from any diminished desire on the part of suitors to avail themselves of the process of the court, such desire rather increasing; but is owing to the decision of the Court of Common Pleas that the entire cause of action must arise within the City of London; and this is a question which the Corporation of London is endeavouring to have further and maturely considered. The amount for which actions were entered was £302,275, against £345,801 in 1873. On the equity side of the court 4 bills of complaint were filed in each year, and 2 in 1872, when there were 2 decrees and orders. The fees, exclusive of costs, in 1874 amounted to £7,197, against £3,516 in 1873.

In the court of the Vice-Warden of the Stannaries there were 10 petitions in equity against 4 in 1873, and 26 in 1872; there were 74 affidavits filed in 1874, and 23 in 1873; 8 interlocutory orders in 1874, and 9 in 1873; and 8 registrar's summonses, orders, and certificates, against 9 in the previous year. For Devon there were no common law proceedings; but in Cornwall there were 8 writs of summons in each of the years 1874 and 1873, and also 1 writ under the Summary Procedure on Bills of Exchange Act in each year. In 1874 there were 2 appearances against 6, 3 declarations against 6, 2 pleas against 6, and 3 replications against 5, filed in 1873; and there were in 1874, 6 affidavits against 8, 4 interlocutory orders against 5, 3 registrar's summonses against 4, 3 *subpenas* issued against 4, and 3 causes tried against 4 in the previous year. The total amount for which actions were brought in 1874 was £1,688 and in 1873 £1,391. The costs were £45 against £91, and the fees £12 against £13. In proceedings by plaint there were 17 plaints entered in 1874 against 6 in 1873, judgment being given in 6 cases in 1874, and in 1 case in 1873. There were 2 executions against goods in 1874 as against 1 in 1873, and the total amount for which plaints were entered in 1874 was £282, the amount for which judgment was obtained being £96, against £101 and £29 respectively in 1873. In 1874 the total costs were £4 against £8 in the previous year, and the fees £4 against £2. Under proceedings for winding up under the Companies Act, 1862, there were, in 1874, 13 petitions against joint stock companies, and 16 against unincorporated companies; and 19 orders for winding up were made. Of 2 appeals lodged during the year 1 was affirmed and 1 reversed. The total amount of debts claimed and adjudicated on was £19,176 in 1874, against £22,894 in 1873.

Notice has been given at the Judges' Chambers that Mr. Justice Lindley will resume his sittings on the 4th of January and on the following day.

We supposed, says the *Albany Law Journal*, we had heard the last of Ann Eliza Young and her alimony when Judge McKean was turned out of office; but they have both come up like a veritable phoenix in the Third District Court of Utah, and Brigham has been ordered to prison until he pays the 9,500 dol. awarded to the plaintiff. It seems now that a sort of appeal has been taken, the appellate tribunal being the Attorney-General of the United States and the Cabinet. The question presented, it is said, is whether the allowance to Mrs. Ann Eliza was legal and the arrest thereby justified, her marriage with Young being, to her own knowledge when made, illegal and contrary to the laws of the United States. The subject is to be brought before the Cabinet, with a view of determining the exact *status* of the case. Whatever may be the conclusion of the Cabinet, there can be little question among lawyers that the allowance was one of those judicial outrages sometimes perpetrated in the name and interest of what is thought to be reform.

General Correspondence.

SIGNING JUDGMENT FOR RECOVERY OF SPECIFIC GOODS.

[To the Editor of the *Solicitors' Journal*.]

Sir,—Referring to the case of *Ivory v. Cruikshank*, reported in the *SOLICITORS' JOURNAL* of the 18th of December, 1875 (p. 140), can any of your numerous readers kindly inform me if the plaintiff, after he shall have signed judgment for the return of the specific goods, and proceeded under ord. 42, r. 4, and failed to obtain the goods by any of the means provided by that rule, can issue a writ of inquiry to assess the value of the goods under ord. 13, r. 6? If not, could the plaintiff sign an interlocutory judgment, issue a writ of inquiry, and then sign final judgment for the return of the specific goods or for their value assessed under the writ of inquiry, and then try to obtain the goods under ord. 42, r. 4, and on failing to do so issue a writ of *fi. fa.* for the assessed value? Is the 78th section of the Common Law Procedure Act, 1854, still in force?

Dec. 29.

A SUBSCRIBER.

[In the case referred to by our correspondent the plaintiff appears to have made a deliberate election not to have the damages assessed. We cannot see any reason why the writs mentioned by rr. 1 and 4 of ord. 42 should not be combined in the single writ referred to by section 78 of the Common Law Procedure Act, 1854; provided the course pointed out by ord. 13, r. 6, had been pursued and the value of the chattel assessed. See schedule 1 to the Judicature Act, 1875, appendix F, form 8.—Ed. S. J.]

THE REGISTRAR'S OFFICE.

[To the Editor of the *Solicitors' Journal*.]

Sir,—I understand that the registrars' offices of the Chancery Division of the High Court are to be closed from to-day until the 8th of January next. I cannot reconcile this with r. 4 of ord. 61, which directs that "the several offices of the Supreme Court shall be open on every day of the year" except certain special days therein mentioned. I shall be glad if you, or any of your readers, can explain this. I suppose it cannot be said that the registrar's offices are not among "the several offices of the Supreme Court"?

London, Dec. 23.

A SOLICITOR.

[Our correspondent must have been misinformed if he means that no registrar attends at the office. We find on inquiry that the registrars' office is open every day in the year with the exception of the days mentioned in ord. 61, r. 4.—Ed. S. J.]

Appointments, &c.

Mr. THOMAS MATTHIAS BAKER, solicitor, of Yarmouth, has been elected Town Clerk of that Borough, in the place of Mr. Charles Diver, resigned. Mr. Baker was admitted a solicitor in 1861.

Mr. CHARLES FITZWILLIAM CADIZ, Attorney-General of Tobago, has been appointed a Member of the Privy Council of that Island. Mr. Cadiz was called to the bar at Lincoln's Inn in Trinity Term, 1855.

Mr. HENRY HICKS HOCKING, Attorney-General of West Australia, has been appointed a Member of the Legislative Assembly of that Colony. Mr. Hocking is a graduate of St. John's College, Oxford, and was called to the bar at the Inner Temple in Michaelmas Term, 1867. He formerly practised on the Home Circuit, and was one of the staff of the *WEEKLY REPORTER*.

Mr. JOHN MADDEN, barrister, has been appointed Solicitor-General of Victoria in the new Administration. Mr. Madden was called to the bar at Melbourne in 1865, and is a member of the House of Assembly of that colony.

Mr. ARTHUR JAMES RICKENS TRENDLELL, barrister, has been appointed Commissioner for Great Britain at the Philadelphia International Exhibition of 1876. Mr. Trendlell was called to the bar at the Inner Temple in Easter Term, 1874, and is a clerk in the Science and Art Department of the Committee of Council on Education.

Societies.

JUSTICES' CLERKS' SOCIETY.

On the 23rd ult. a deputation from this society waited upon the Home Secretary. There were present—Mr. Grantham, M.P.; Mr. R. Ellett, chairman of the society; Mr. John Lane, clerk to the county and borough justices; Stratford-on-Avon; Mr. Leslie Creery, clerk to the Ashford Petty Sessional Division; Mr. S. Harris, Barnet Division; Mr. Hooper, Biggleswade Division; Mr. Waugh, Cuckfield Division; Mr. Drummond, Croydon; Mr. J. Merriek Head, clerk to the borough and county justices of Reigate, secretary.

Mr. GRANTHAM, M.P.—I have the honour, sir, of introducing to you the committee of the Justices' Clerks' Society, representing a very large body of practitioners, the clerks to justices. The object of our meeting you to-day is to induce you to say that a scale of fees which was adopted in 1859, after grave consideration by a commission, appointed to inquire into the matter should be carried out. I will not go into the general details of the question, as that will be done by the chairman of the Justices' Clerks' Society, but I would just give you one or two instances of the way in which the proposed scale will work, as they bring out very broadly the objection they make, and show that they have good grounds for their objection. Take the case where rates under 20s. have to be recovered before the magistrates. Sixpence is allowed for this, and the forms for carrying it out cost 4d. in each case, and that leaves for their clerks' salary, and expenses of offices, the enormous amount of 1½d. Take one other instance, that of murder; where a person is indicted for murder a gentleman here will tell you that he has been occupied for many days, and the whole of the money allowed him for his services is the sum of 15s. With such a scale, sir, you cannot be surprised that there should be considerable irritation, especially where it is at variance with a scale adopted after the gravest consideration in 1859. Unless some reason is given—and none has yet been given—for these fees being cut down, I can hardly think, sir, that you can do otherwise than grant what the deputation ask.

Mr. ELLETT.—Sir,—Our object in coming here is to ask you to give your attention to the table of fees which is now sent by the Home Office into the counties for adoption when application comes up from the justices to revise the existing table of fees. In many counties, even now, old tables are in force, and from time to time magistrates are desirous of having those tables revised. We have recently prepared a table of fees, in accordance with the views of justices' clerks, and that table substantially agrees with the table of fees reported by the commission and embodied in their report; and that is a table which the justices' clerks throughout the country are satisfied with, and consider reasonable, and as on the whole a fair table. But latterly tables have been sent down from the Home Office into the counties, in which, first of all, one alteration has been made from that of 1859, and then in some subsequent year some further modification has been made. The last table sent out for adoption was sent to Warwickshire. It embodied a variety of items, some of which had crept into previous tables, and some of them were new, and included the items to which Mr. Grantham has referred. The effect of this table proposed to the justices of Warwickshire for adoption, as compared with the table of 1859, or any of the many tables that have now been settled on that basis, would be a reduction throughout the country in the remuneration of the clerks to justices in divisions of at least one-fifth of their income. In the first place we fail to see any reason why the reduction should be proposed. We believe that the magistrates throughout the country, who are best acquainted with the value of our duties and the way in which they are performed, would be the last to say that there was any necessity for the general reduction in the remuneration. So far as it depends upon the amount of business it is of course obvious that, as time decreases the amount of business, the remuneration will decrease, and it is equally obvious that the expenses of offices will not be decreased in proportion. The same staff must be maintained; our attendance upon the magistrates at stated times, interfering with the use of our time for other professional engagements, is a necessity whether the business

at a particular session be half-a-dozen cases, or, as constantly happens, only one. The other expenses connected with our staff and the carrying on of our business, as I need not remind you, increase instead of decrease. We are at a loss to know on what principle it is proposed to give general adoption to this table. We can only suppose, and we have reason to believe, that it arises to some extent from a desire to bring about the adoption of a uniform table; that is an object which the clerks of justices would gladly promote if it be considered practicable and desirable. It might be desirable, if practicable, but we see very great difficulties in the way of the adoption of the principle, because it involves an entire reversal of the principle upon which magistrates' clerks have been remunerated hitherto. If it were desired to adopt a uniform scale this would necessarily follow—the scale would be remunerative to those who are administering the law in the populous districts where business is good, and, in fact, it is found to produce more than is necessary to secure the services of competent clerks, and the consequence has been that in some large and populous places the clerks have been paid by salary by the town councils, and the fees have produced a sum in excess of the salary, which has gone in aid of the local rates. If, on the other hand, you propose a uniform table for general adoption which will be reasonable and proper in large and populous places, then it necessarily follows that in thinly populated districts justices' clerks will be so underpaid that in a very short time this result, we unhesitatingly say, would follow—that competent clerks could not be found to undertake the duties. It is within the knowledge of the members of this society that in many cases the office is held really more because the magistrates are often the clients of the clerks and wish to have their aid in administering justice than for the sake of the remuneration that actually attaches to it; and in many of the smaller divisions the income, even upon the present footing, brings barely enough to pay the actual cost of the staff which we must keep up to carry on the business. The question, no doubt, is to some extent connected with the payment by salary, and this society has throughout given every assistance in its power, both on occasions when the matter has come under parliamentary inquiry, and by distributing amongst the members of the society information on this subject. The payment by salary has repeatedly been the subject of resolutions at our meetings, and the society have unanimously come to the conclusion that, for various reasons, particularly those connected with the public interest, the payment by salary is the better and more desirable course. Of course, if clerks are paid by salary, and those salaries are based with regard solely to what is fair remuneration for the duties of the office, and not based upon the income derived from the fees, then it gets rid of the objections to the attempt to make a uniform scale the basis of the payment by salary, because it would then be a matter of indifference to the clerk whether the fees came up to his salary or not. But what we feel at present is this: that under the present mode of fixing salaries, by which practically the salaries are based upon three years' average fees, subject to a revision on the same basis, if we adopt a scale which would bring less money than the salary, it would only be doing in an indirect way that which we object to, viz., the reducing our remuneration. We candidly confess it appears to us that there may be an intention to introduce piecemeal this unremunerative table; and when it has had its effect then to bring about the universal payment of clerks by salaries based upon the amount of fees which are known to be very insufficient and unremunerative. We of course do not for a moment suggest that that is a thing that would be supported by you, sir, or would be considered a proper mode of dealing with the matter. But when we find that this table is being sent into one county after another and is being pressed upon the magistrates with the weight of the authority of this office, and when we know that the payment by salaries can only be a matter of time, and as the law now stands these salaries will be based upon the table, we cannot be indifferent to the result.

Mr. CROSS.—You suggest payment by salary. How would you do it?

Mr. ELLETT.—By making compulsory that which is at present permissive. Payment by salary has always the character of being the most simple. But we feel that it

should be accompanied with some provision that salaries should not be based upon an average of three years' fees with the new scale. I am reminded by Mr. Merrick Head that the necessity for that provision is the stronger because in some counties the table has been actually adopted, and consequently the parties would be fortified in basing the salary on the scale of fees by saying that it had been adopted in various parts of the country. It would produce a great unfairness in this way, that where salaries are in existence, based upon incomes derivable under the old table of fees, which is the case represented by a gentleman in the room, the adoption of this new scale would result in a loss to the county of at least twenty per cent. of the salaries, and one's experience tells us what the finance committee of the quarter sessions would do.

Mr. Cross.—If the salary of the clerk is on the old scale the county would lose.

Mr. Hooper.—That is my case. I am paid upon that scale, and there is a loss to the county of twenty per cent. It has been mooted several times in quarter sessions, but they have not adopted any course as to whether the salary should be revised now that this table had been forced upon them by the Home Office.

Mr. Cross.—When was that sent?

Mr. Hooper.—In 1870. A table was sent similar to that mentioned, and the Home Office said:—This is the only table, and you must adopt this. The quarter sessions took it, and there is a loss of twenty per cent. to the county.

Mr. Cross.—But there are in a great many of the tables old obsolete fees.

Mr. J. MERRICK HEAD.—But those fees, if obsolete, would not be receivable.

Mr. Cross.—How would you deal in a case like that?

Mr. ELLETT.—We should propose a uniform adoption of the table of the commission of 1859, which is a general scale.

Mr. Cross.—But you are calculating the salary upon a scale which has not been used. Would you take it as if it had been in existence?

Mr. ELLETT.—That probably would be met by the consideration that there are vested interests.

Mr. Cross.—Do you consider that a man has a vested interest in an obsolete fee?

Mr. ELLETT (handing the Home Secretary a table of fees).—There are no obsolete fees. This society last year made careful inquiry of its members throughout the country as to the existing tables, and as to any alterations or amendments that were thought desirable, and the table I hand to you is the result of that inquiry. That is what the justices' clerks think would be reasonable remuneration under the present practice. There is no substantial difference between that and the scale of 1859. By comparing the part in red ink with what has been sent out by this department to the county of Warwick you will see in what the difference consists. With your permission I will call your attention to a few of the most striking instances.

Mr. Cross.—Is this printed scale the scale of 1859?

Mr. ELLETT.—The printed scale is that prepared by this society last year.

Mr. Cross.—Does the black ink represent 1859?

Mr. ELLETT.—Yes.

Mr. Cross.—And the red ink represents what is supposed to be the Home Office.

Mr. ELLETT.—Yes. If you take the case of rates, (No. 4 in red ink) the fees that would be payable to recover rates under the table of 1859 would be fees payable in respect of each step as if it was a step in every case, that is to say, a summons should pay a summons fee, and the summoning of witnesses the same as if examined for any purpose, and the distress warrant the same as any other warrant. That would be the course in 1859. But what would be done under the proposed scale would be to allow a fee of 1½d. only for everything done for the recovery of a sum under 20s. Here is a set of forms which would be actually necessary to recover the rate of 19s. 6d. You must fill up the information, which must be after a comparison of the rate-book, and there is the same thing to be filled up in duplicate. The cost of that set of papers would be 4½d. out of pocket.

Mr. Cross.—I find, as a matter of fact, that after paying 4½d. you will have 1½d. for all the labour and expense attending the recovery of the rate.

Mr. ELLETT.—I need hardly say that in the majority of

cases the summonses are over 20s. The next thing is as to indictable offences. At present we are paid in this way:—If a warrant were issued there would be fees for the information and fees for the warrant. When the prisoner is brought up there is a fee for each examination. If the examinations are not concluded there is a fee for the remand, and if a further remand the same course is prosecuted. If the cases are serious the remands are frequent, and for all that labour, and all the serious responsibility of taking the depositions in order that the case may be properly tried at the sessions or assizes, the sum proposed under the new table of fees is 15s. only. We who know the work, and know what it involves, feel that the fee is so entirely inadequate that one is rather at a loss how to set to work to demonstrate that it is so. Each of these separate documents has to be properly and intelligently filled up, in order that the case may not break down when it comes on for trial; but of course the more serious thing is the necessity for depositions being properly taken.

Mr. Cross.—You need not enlarge upon that. What is the price of these forms?

Mr. ELLETT.—They are about 3s. I was going to ask you to consider the insufficiency of that with reference to the proposed scale itself. Taking the ordinary case of six witnesses, which is quite a moderate average, the fees even according to the proposed new table, would amount to 22s., and yet it is proposed to allow only a fee of 15s. for every case. Well, then, the fees to a large extent depend upon the items which are brought into play in every case; that is to say, the information and the summons, or warrant, as the case may be. What is proposed in relation to the altered table is to strike a blow at these most important items. The information is now proposed to be given at a fee of 1s. only, and the summons also at a fee of 1s. to include a copy of all the names, so that it may be said you may have a batch of fees involving four or five summonses, and all which are to be included in that insufficient fee of 1s. As if that were not bad enough, we have towards the end of the proposed new table this item: "summary convictions, including cases of drunkenness, vagrancy, turnpikes, and malicious trespass." That schedule includes a very great majority of the ordinary cases at petty sessions. It is proposed with reference to these to make them 4s. each. Taking the proposed scale itself as framed the separate items necessary in the most ordinary case where only one witness is examined would amount to 10s. 6d., and yet it is proposed to give us only 4s. According to our table or the table of 1859 the fees would amount to 12s. 6d. That is an ordinary common case in which one witness is examined from the information down to the distress warrant.

Mr. Cross.—In a summary conviction?

Mr. ELLETT.—10s. 6d. under our scale.

Mr. Cross.—What under the scale of 1859?

Mr. ELLETT.—That is substantially the same thing; the fees are substantially the same.

Mr. Cross.—I see. In many cases of drunkenness the fees would amount to 10s. 6d. each.

Mr. ELLETT.—I mean taking the thing down to commitment. Of course it is generally paid upon conviction, and that would take 5s. off.

Mr. Cross.—The difference between paying on conviction and paying on the warrant on conviction and the sending to prison would be 5s. more.

Mr. ELLETT.—Yes; the distress warrant 2s., and the commitment 3s.

Mr. Cross.—If a man is brought up for drunkenness or any other summary conviction, and is fined, and does not pay his fine or his costs or anything, he goes to prison under the Summary Penalties Act. What happens to your fees in that case?

Mr. ELLETT.—Usually they are paid out of the police fund.

Mr. Cross.—If a man goes to prison the clerk does not lose the fees?

Mr. ELLETT.—The police fund bears those fees from an order of quarter sessions. The costs are returned by the quarter sessions where the police are the prosecutors.

Mr. Cross.—Then the 10s. 6d., or whatever it is, is charged in a lump to the chief of the police, and then paid out of the

funds once per quarter. Then in case of other matters where the police are not the prosecutors?

Mr. HOOPER.—The magistrates mark the fees remitted if they cannot recover.

Mr. ELLERT.—What I was desirous of calling your attention to was the very lowest amount up to and including the conviction that would be charged, viz., 5s. 6d., and yet it is proposed to give us 4s., which 4s. is to include the distress warrant and the commitment, which would bring our costs up to the 10s. 6d. I need not also tell you that cases of malicious trespass constantly involve questions of law and questions of right, and also as to the jurisdiction of the magistrates, and in such cases many witnesses are often examined, and yet it is only proposed to give the insufficient fee of 4s. The questions often involve the very nicest consideration. Those are some of the most striking instances, and I hesitate to occupy your time much further.

Mr. CROSS.—I don't think you need go into the details.

Mr. LANE.—I am paid by salary, and in my district the table of fees is in abeyance in consequence of the scale sent down by the Home Office. The Recorder of Birmingham says it is impossible to work out the fees.

Mr. J. MERRICK HEAD, speaking on the question of uniformity, quoted from the Judicature Commission's report, page 10, where Mr. Godfrey Lushington, counsel to the Home Office, says:—"It is the practice of the Secretary of State, in settling the table of fees submitted to him under the 11 & 12 Vict. c. 43, s. 30, whether for clerks of the peace or for justices' clerks, or whether for counties or for boroughs, to arrive at uniformity, so that for the same work the same fees shall be charged in every county and borough; but it is impossible to carry out this principle effectually for divers reasons."

Mr. CROSS.—It is very obvious that it is.

Mr. J. MERRICK HEAD.—I am glad to hear you say so. Another thing I might mention—that numerous returns are asked for during the sitting of Parliament over which we expend a good deal of time and labour, and we get no remuneration.

Mr. CROSS.—That is a question between Parliament and you.

Mr. J. MERRICK HEAD.—But if our fees are to be lowered to a scale not remunerative, you cannot expect justices' clerks to continue to make these returns.

Mr. CROSS.—Well, gentlemen, as you went to the Chancellor of the Exchequer on this matter, and he said you should also come to me, I am not going to say that you ought to go back to the Chancellor of the Exchequer, because it would be unfair, as this is a question to which I have paid attention. But all that I can promise you to-day is, that if I can possibly put a stop to the dead-lock I will do so, and I shall take an early opportunity of seeing you again on what I must say is a very anomalous state of things.

Mr. J. MERRICK HEAD.—We should be very glad to render every assistance, and we shall be at your service for any assistance you may require.

Mr. GRANTHAM, M.P., thanked the right hon. gentleman for his kindness, and the deputation retired.

Judges' Chambers.*

(Before QUAIN, J.)

Dec. 20.—*Amis v. Clark*.

County court appeal—County Courts Act, 1875, s. 6—Judicature Act, 1873, s. 45.

A rule nisi having been granted calling upon the plaintiff in this action to show cause before a judge in chambers why the decision of the county court judge in his favour should not be reversed (*ante*, p. 98), cause was now shown. An application had been made to the county court judge for his notes of the case; but it appeared that he had taken none. He sent, however, a letter giving the reasons for his decision, which letter was duly verified; and certain affidavits had been agreed upon by the parties to supplement the letter. The county court judge had decreed specific performance of a contract to sell a house, and the defendant

appealed from this decision on the grounds that he had never given his authority for the sale, and that, if he ever had given such authority, he had subsequently revoked it. The question turned upon whether the construction to be put upon a letter written by the defendant's wife to the agent, and the statements made in the affidavits as to a conversation between the parties, supported the alleged revocation.

QUAIN, J.—I am of opinion that this case has not been sufficiently made out for a decree for specific performance to be granted. In such cases the *onus* lies on the plaintiff; and the Court of Chancery would never grant specific performance except in clear cases. It is clear from the affidavit of the defendant himself, that there was a conversation between the defendant and the agent, Bridge, about the house, and, as the plaintiff speaks to the exact sum of £160 as being mentioned by Bridge to him as the purchase-money, it seems probable that authority was given by the defendant to Bridge to sell. The question then arises whether that authority had been revoked. I am clearly of opinion that the letter of Mrs. Clark to Bridge was a revocation of the authority that had been given; and that construction of the letter is borne out by the positive testimony of two witnesses, Mrs. French and Mrs. Clark, as to a conversation between the parties on a subsequent occasion. With regard to that conversation, the agent only says that the authority given to him was not revoked, but does not say what did take place; whereas Mrs. French and Mrs. Clark positively swear that the agent was then expressly told that he was not to sell the cottage. The county court judge was of opinion that a portion of Mrs. Clark's letter was inconsistent with the idea that it was intended to revoke the authority to sell; but that is not how I interpret the words. The decision of the county court will be reversed, and, following the new practice, the appellant will have the costs.

Dec. 20.—*Baker v. Newton*.

Interrogatories—Ord. 31, r. 5.

This was an action by a principal against his agent for money received. The defence was that the transaction in question was not entered into by defendant as agent. The present application was to strike out interrogatories that had been delivered by the defendant to the plaintiff.

QUAIN, J.—I would allow any interrogatories that went to prove your case, but I will not allow interrogatories for the purpose of shaking the plaintiff's character. I shall order all these interrogatories to be struck out, except the 7th. Costs to be costs in the cause.

Dec. 21.—*Lee v. Colyer*.

Striking out counter-claim—Ord. 19, r. 3; ord. 22, r. 9.

This was an action for assault, and for calling the plaintiff a scamp, a liar, and a thief. With the statement of defence a counter-claim had been delivered for breach of an agreement to repair. Master Mauley Smith had refused to order this counter-claim to be struck out, and that decision was now appealed against. The alleged assault was that the defendant spat in the plaintiff's face. There was no written agreement to repair.

Raymond, for plaintiff.

Finlay, for defendant, stated that the master decided on the ground that the assault and abuse were used when the plaintiff and defendant were disputing as to the non-repair of the premises.

QUAIN, J.—If the plaintiff holds under a written agreement, a parol promise to repair would not bind him, according to *Angell v. Duke*, 23 W. R. 548, [see 19 S. J. 630]. But without entering into that question, the matters alleged in the counter-claim are not really in any way connected with the plaintiff's cause of action. The assault alleged here is of a very serious kind, and that when it took place the parties happened to be talking about the state of this house is not sufficient to connect these two claims. I shall order that this counter-claim be struck out.

Decision of master reversed.

Dec. 21.—*Clarkson v. The British and Foreign Marine Insurance Company*.

Application to proceed under the Judicature Acts—Judicature Act, 1873, s. 22.

This was an action brought by Clarkson, a broker in

* Reported by A. H. BITTLESTON, Esq., Barrister-at-Law.

England, on a policy of insurance. The declaration had been delivered in January.

French, for defendant.—The real plaintiff in this case is Rivano, an Italian, he being the person interested in the policy. The circumstances of the loss were so suspicious that the Italian authorities ordered an investigation, with the idea of bringing a charge of fraud against Rivano. We have obtained an order for discovery of ship's papers from Clerkson; but he can only produce what Rivano chooses to send. Mr. Justice Brett refused to make an order upon Rivano for an affidavit of ship's papers. We desire to proceed under the Judicature Acts, in order to make Rivano a party to the action.

J. C. Mathew, for plaintiff.

QUAIN, J.—I thought that it was the practice here to order the party interested to make an affidavit of ship's papers.

Application granted.

Dec. 21.—*Askew v. North-Eastern Railway Company*.

Amending statement of claim—Ord. 27, r. 1.

An application was made to strike out a paragraph from the statement of claim in this case. The paragraph had already been ordered to be struck out (*ante*, p. 120), but had been re-inserted with a few verbal alterations.

Order to strike out amended paragraph.

Dec. 21.—*Butterworth v. Tee and Wife*.

Application to sign judgment—Ord. 14, r. 1.

This was an action on a guarantee for the price of goods sold, given by a married woman in respect of her separate estate. The writ was indorsed under ord. 3, r. 6, for a sum of money due on a guarantee signed by the female defendant. No reference was made in the indorsement to the wife's separate estate. The plaintiff now sought to sign judgment under ord. 14, r. 1. The matter had been before a master, who had referred it to the judge.

G. Bruce, for defendant.

A. Charles, for plaintiff.

QUAIN, J.—Under any circumstances, I could only give in this action a judgment against the wife's separate estate, as you are not suing her personally on a guarantee. But I doubt whether ord. 3, r. 6, refers to anything but to a "merely" monetary demand; and here you seek to charge the defendant's separate estate. I will give you liberty to amend the indorsement on your writ, but I question whether that will enable you to avail yourself of this rule. No order, with liberty to amend the indorsement on writ.

Dec. 21.—*Owens v. Steam Coal Company*.

Stay of proceedings—Judicature Act, 1873, s. 24, sub-section 5.

A resolution for a voluntary winding up of the defendant company had been made in November, and an application was now made to stay proceedings in this action.

Order made to stay proceedings, the plaintiff to add his costs up to the present time to his claim.

Monday, Dec. 20. — INJUNCTION — JUDICATURE ACT, 1873, s. 25, SUB-SECTION 8.—An application was made for an injunction to restrain purchasers of property belonging to the defendant in an action on two bills of exchange from paying the purchase-money to the defendant.

QUAIN, J.—The purchasers are not parties to the action. The plaintiff has no lien or claim upon this money at all. He is attempting to get an attachment before judgment. Application refused.

Tuesday, Dec. 21. — GARNISHEE ORDER—ORD. 45, R. 2.—An application having been made to a master for a garnishee order, and having been refused on the ground that the affidavit did not state that the debt was due, that refusal was now appealed against. The affidavit stated that the debt was "owing and accruing," and the appellants referred to the decision in *Wilson v. Dundas* (*ante*, p. 99).

QUAIN, J.—I will make the order; but the attachment must be confined to that part of the sum which is stated in your affidavit to be accruing at the time of the judgment. Decision of master reversed.

COUNTY COURT APPEAL—JUDICATURE ACT, 1873, s. 43.—

An application was made for an extension of the time for appealing from the decision of a county court judge.

QUAIN, J.—You might have applied to me at once for a *rule nisi*, but I will give you the extension of time you ask for.

Court Papers.

RULES UNDER THE TRADE MARKS REGISTRATION ACT, 1875.

INSTRUCTIONS TO PERSONS APPLYING FOR REGISTRATION OF A TRADE MARK.

Forms of application will be found in the subjoined rules. The applicant will carefully read over the rules relating to application for registry, and attend to the notes attached to the forms.

Applications must be addressed as follows:—

The Registrar,
Trade Marks Registry Office,
Quality-court,
47, Chancery-lane, W.C.

They may either be delivered by hand or sent prepaid by post, but an application will not be attended to unless it is accompanied by the proper fees specified in schedule two of the rules.

Fees will not be received in cash. They may be paid by a post-office order payable to the registrar at the General Post-Office, London; or if they exceed five pounds, may be paid by a cheque drawn to the "Registrar of Trade Marks or Bearer," and crossed "Bank of England."

Each application for the registry of a trade mark or marks must be accompanied by a statement, on foolscap paper, of the following particulars:—

1. Name and address of applicant.

(Example.) John Jones,
Moon-street,
Birmingham,
Pharmaceutical Chemist.

2. Account of fees for trade mark or marks required.

(Examples.) £ s. d.
One trade mark in class 4 . . . 1 0 0
or
Two trade marks in class 20 . . . 1 10 0
or
One trade mark in four classes . . . 1 6 0

The post-office orders or crossed cheques inclosed for payment of fees should be fastened to the form of account of fees.

RULES.

Whereas by the Trade Marks Registration Act, 1875, the Lord Chancellor is authorized from time to time, with the assent of the Treasury as to fees, to make general rules as to the registry of trade marks, and other matters connected therewith, as is in the said Act mentioned:

Now, therefore, I, the Right Honourable Hugh MacCalmont Baron Cairns, of Garmoyle, in the county of Antrim, Lord High Chancellor of Great Britain, in pursuance of the said Act, and of all other powers enabling me in this behalf, do hereby make the following rules:—

Preliminary.

1. *Classification of goods in schedule.*] For the purposes of these rules goods are classified in the manner appearing in the first schedule hereto.

2. *Fees.*] The fees to be charged in pursuance of these rules are the fees specified in the second schedule hereto.

3. *Determination of doubt as to classes.*] If any doubt arises as to what class any particular description of goods belongs to, the doubt shall be determined by the registrar.

4. *Registration of different trade marks, or trade marks in different classes.*] A trade mark or trade marks may be registered in pursuance of the same application by the same person in respect of all or any goods, subject to the payment of the additional fees specified in the second schedule in respect of the registration of different trade marks or the extension of the same trade marks to goods in different classes.

Application for Registry.

5. *Proceedings on application.*] A person, whether a British subject or an alien, desiring to register a trade mark shall apply to the registrar by sending to him a statement

accompanied by such declaration as is hereinafter mentioned, and the prescribed fee.

6. *Contents of statement on application.*] The statement shall contain the following particulars:—

- A. The name and address and calling of the applicant: and
- B. The description or reference to a description of the trade mark to be registered: and
- C. The class or classes of goods (being some one or more of the classes mentioned in the first schedule), and the particular description or descriptions of goods in such class or classes, with respect to which he desires the trade mark to be registered: and
- D. In the case of a trade mark used before the passing of this Act, a description of the goods in respect of which it has been used and the length of time during which it has been so used.

7. *Requisites of statement.*] The above statement must bear a date and be signed by the applicant. Subject to any other directions that may be given by the registrar, the statement sent to the registrar shall be upon foolscap paper of a size of thirteen inches by eight inches, and shall have on the left-hand part thereof a margin of not less than one inch and a half.

8. *Nature and size of representation of trade mark.*] Subject to any other directions that may be given by the registrar, a description of a trade mark shall be given in writing, and shall be accompanied, when practicable, by a drawing or other representation in duplicate not less than three inches square, on foolscap paper of the size aforesaid, or by pasting or otherwise fastening on such paper a specimen of the trade mark.

Where a drawing or other representation or specimen cannot be given in manner aforesaid, a specimen or copy of the trade mark may be sent either of full size or on a reduced scale, and in such form as may be thought most convenient.

The registrar may, if dissatisfied with the representation of a trade mark, require a fresh representation either before he proceeds with the application or before he registers the trade mark.

The registrar may also, in exceptional cases, deposit in the Patent Museum a specimen or copy of a trade mark which cannot conveniently be placed on his register, and may refer thereto in his register in such manner as he thinks advisable.

9. *Declaration to accompany application.*] The declaration must be on foolscap paper of the above-mentioned size, and must verify the statement, and declare that, to the best of the applicant's knowledge and belief, he is lawfully entitled to use the trade mark, and must be made and subscribed as hereinafter mentioned.

10. *Application by company.*] Where an application for the registry of a trade mark is made by or on behalf of a corporate or quasi-corporate body of persons, the statement and declaration shall be made by the secretary or other principal officer of the body of persons; and the registrar may require such proof as he thinks fit that the application made is duly authorized by such body of persons.

11. *Acknowledgment of application by registrar.*] On receipt of the application the registrar shall send to the applicant an acknowledgment thereof.

Advertisement of Application and Notice of Opposition.

12. *Advertisement of application.*] As soon as may be after the receipt of an application made as provided by these rules, the registrar shall require the applicant to insert an advertisement of the application in the official paper, during such time, and in such form, and generally in such manner as the registrar may think desirable, and distinguishing whether the mark has or has not been used before the thirtieth day of August, one thousand eight hundred and seventy-five.

13. *Definition of official paper.*] The official paper for the purposes of these rules shall be some paper published under the direction of the Commissioners of Patents, or such other paper as such commissioners, or any one of them, may from time to time direct.

14. *Means of advertising trade mark to be supplied to official paper.*] For the purposes of such advertisement the applicant may be required to furnish the printer of the official paper with a woodblock or electrotype of the trade mark, of such dimensions as may from time to time be

directed by the registrar, or with such other information or means of advertising the trade mark as may be allowed by the registrar.

15. *Notice and proceedings for opposition.*] A notice of opposition may be given by sending to the registrar, together with the prescribed fee, a written notice in duplicate, on foolscap paper of such size as aforesaid, stating the grounds of the opposition. The registrar shall send one copy of such notice to the applicant.

Within three weeks after the receipt of such notice, or such further time as the registrar may allow, the applicant may send to the registrar, on foolscap paper of such size as aforesaid, a counter-statement of the grounds on which he relies for his application, and if he does not do so shall be deemed to have withdrawn his application.

If the applicant sends such counter-statement the registrar shall require the person who gave notice of opposition to give security, in such manner and to such amount as the registrar may require, for such costs as may be awarded in respect of such opposition; and if such security is not given within fourteen days after such requirement was made, or such further time as the registrar may allow, the opposition shall be deemed to be withdrawn.

Registration of Trade Marks.

16. *Time of registration of trade mark.*] On the expiration of three months from the date of the first appearance of the advertisement in the official paper, the registrar may, if he is satisfied that the applicant is entitled to registration, register the trade mark in respect of the description of goods for which he may be entitled to be registered, and the applicant as the proprietor thereof, on payment of the prescribed fee.

17. *Duty of registrar in case of disputed claim.*] Where each of several persons claims to be registered as proprietor of the same or a nearly identical trade mark, in respect of the same goods or goods belonging to the same class, the registrar shall use his discretion as to registering all or any of such trade marks, either unconditionally or on the condition of the introduction of such variations (if any) or otherwise as he thinks fit, or the registrar may, if in any case he thinks it expedient, submit, or require the claimants to submit their rights to the court.

18. *Prohibition of registration of identical trade marks.*] Where a trade mark has been already registered in respect of any goods or description of goods belonging to one particular class, a trade mark identical with such trade mark, or so nearly resembling the same as to be calculated to deceive, shall not, without leave of the court, be registered in the name of another person as proprietor thereof with respect to any goods in that class.

19. *Similar trade mark for similar goods not to be registered in two classes.*] Where goods may be considered as belonging to two or more classes, and the trade mark has been already registered in respect of such goods as belonging to one particular class, a trade mark identical with such trade mark, or so nearly resembling the same as to be calculated to deceive, shall not, without leave of the court, be registered in the name of another person as proprietor thereof with respect to the same or similar goods as belonging to another class.

20. *Entries to be made in register.*] Upon registering any trade mark the registrar shall enter in the register the date on which the statement relating to the application for registry was received by the registrar (which day shall be deemed to be the date of the registry), and such other particulars as he may think necessary, including the name and address of the proprietor.

21. *Notice of registration.*] The registrar shall send notice to the applicant of the registration of his trade mark.

22. *Trust not to be entered in register.*] There shall not be entered in the register, or be receivable by the registrar, any notice of any trust, expressed, implied, or constructive.

Registration of Subsequent Proprietors.

23. *Registration of assignee or transferee.*] The person to whom any registered trade mark has been assigned or transmitted may apply to be registered as proprietor thereof.

24. *Production of assignment, &c., by assignee.*] Where the trade mark has been assigned the person claiming as assignee to be registered shall send to the registrar, with

his application, an assignment by deed executed both by the assignor and assignee, and a declaration verifying such assignment.

25. *Right of transmittor or his assignee.*] Where a trade mark has been transmitted by the death of the registered proprietor, the legal personal representative of such proprietor shall be recognized as having the title to the mark.

Where the trade mark has been transmitted by marriage, bankruptcy, or otherwise by operation of law, the person applying as the transmittor to be registered shall send to the registrar, together with his application, a statement of the manner in which such trade mark has been transmitted, and a declaration verifying such statement.

Any transmittor may assign his interest in the mark, notwithstanding that he has not been registered as proprietor thereof.

26. *Evidence to be produced on transmission.*] Where the person applying to be registered claims as the transmittor of any registered proprietor, or as the assignee of a transmittor, there shall be produced to the registrar the following evidence:—

(1) If the business concerned in the goods with respect to which the trade mark is registered is carried on in England or Ireland, then

A. If such transmission has taken place by the death of any person, there shall be produced the probate of the will of such deceased person, or the letters of administration to his estate, or an official extract therefrom; and

B. If such transmission has taken place by the marriage of the female proprietor, there shall be produced a certified copy of the register of such marriage, or other legal evidence of the celebration thereof, and a declaration of the identity of such female proprietor; and

C. If such transmission has taken place by the bankruptcy of the registered proprietor, or otherwise by operation of law, there shall be produced to the registrar such evidence as may, for the time being, be receivable as proof of the title of the applicant; and

(2) Where the said business is not carried on in England or Ireland—

There shall be produced similar evidence to that hereinbefore prescribed, or such evidence as would be received as sufficient evidence in the courts of justice of the country or place at which the proprietor carries on business.

27. *Declaration by assignee and transmittor.*] Every declaration made by an assignee or transmittor shall state his name and address, and that he is entitled to the goodwill of the business concerned in the goods with respect to which the trade mark is registered, or to some part of such goodwill.

28. *Assignee, &c., of joint owners.*] Where two or more persons are registered as joint proprietors of the same registered trade mark, those proprietors, or the survivors or survivor of them, or their or his assignee or transmittor, shall alone be recognized by the registrar as having any title to the mark.

29. *Registration of joint owners as separate owners of separate trade marks.*] Where divers persons claim to be severally entitled to the goodwill of a business concerned in the goods with respect to which a trade mark has been registered, such persons, or any of them, may, if they all consent thereto, and on the production of the proper evidence, and on payment of the prescribed fee, be registered separately as separate proprietors of such trade mark.

If all of such persons so entitled do not so consent, the registrar shall not, without leave of the court, register any of them as separate proprietors of such trade mark.

Continuance of a Trade Mark on the Register.

30. *Removal of trade mark after fourteen years unless fee paid.*] At a time not being less than two months nor more than three months before the expiration of fourteen years from the date of the registration of a trade mark, the registrar shall send a notice to the registered proprietor that the trade mark will be removed from the register unless the proprietor pays to the registrar, before the expiration of such fourteen years (naming the date at which the same will expire), the prescribed fee, and if such fee be not previously paid, he shall at the expiration of one month from the date of the giving of the first notice send a second notice to the same

effect, and if such fee be not paid before the expiration of such fourteen years the registrar may, after the end of three months from the expiration of such fourteen years remove the mark from the register, and so from time to time at the expiration of every period of fourteen years.

31. *Payment of additional fee after expiration of fourteen years.*] If before the expiration of the said three months the registered proprietor pays the said fee, together with the additional prescribed fee, the registrar may, without removing such trade mark from the register, accept the said fee as if it had been paid before the expiration of the said fourteen years.

32. *Power of commissioners to restore trade mark.*] Where after the said three months a trade mark has been removed from the register for non-payment of the prescribed fee, the Commissioners of Patents, or one of them, may, if they are satisfied that it is just so to do, restore such trade mark to the register on payment of the prescribed additional fee and compliance with such conditions as they may think just.

33. *Trade mark like one removed not to be registered for five years.*] Where a trade mark has been removed from the register for non-payment of the fee or otherwise, such trade mark shall nevertheless for five years after the date of such removal be deemed for the purpose of section six of the Act, and not for any other purpose, to be a trade mark which is already registered.

34. *Removal of trade mark where no business in goods.*] The court may, on the application of any person aggrieved, remove any trade mark from the register on the ground, after the expiration of five years from the date of the registry thereof, that the registered proprietor is not engaged in any business concerned in the goods with respect to which a trade mark is registered.

Alteration and Rectification of Register.

35. *Alteration of non-essential parts of trade mark.*] The registered proprietor of any registered trade mark may, by leave of the court, alter such trade mark, so that he do not alter any one or more of the particulars in such mark which are declared by section ten of the Act to be the essential particulars of a trade mark, and the registrar shall, on payment of the prescribed fee and compliance with the requisitions of the registrar as to the deposit of representation of the trade mark as altered, alter the register accordingly.

36. *Entry of rectification in register.*] Where due notice of an order of any court rectifying the register has been given to the registrar, the registrar shall forthwith, upon a copy of so much of the order as relates to such rectification being left with the registrar, and payment of the prescribed fee, rectify the register in accordance with the order.

37. *Publication of rectification or alteration of register.*] Whenever the register is rectified or altered in any particular in respect to any trade mark, the registrar shall, if he thinks that such rectification or alteration should be made public, at the expense of any person interested publish, by advertisement or otherwise, and in such manner as he thinks just, the circumstances attending the rectification or alteration of the register.

38. *Notice to registrar of opposition in any matter.*] Any person may send, with the prescribed fee, notice to the registrar of his desire to oppose the registration of any assignee or transmittor, or any alteration of the register. The registrar shall give to the applicant for such registration or alteration the like notice, and may require security for costs in like manner as in the case of a notice of opposition to the original registration of a trade mark.

The registrar in such case may, if he thinks fit, require the parties interested to submit their claims to the court.

39. *Alteration of address, &c., in register.*] If the registered proprietor of a trade mark send to the registrar, together with the prescribed fee, notice of an alteration in his address, the registrar shall alter the register accordingly.

Inspection of Register.

40. *Inspection and copies of register.*] On such days and during such hours as the registrar may from time to time determine, not being less than three hours on three separate days in a week, any person may, on paying the prescribed fee, inspect the register of trade marks; and any person may, on paying the prescribed fee, obtain an office copy of any entry in the register.

41. *Certificate by registrar.*] The registrar, when required

for the purpose of any legal proceeding or other special purpose to give a certificate as to any entry, matter, or thing which he is authorized by this Act or any of these rules to make or do, may, on payment of the prescribed fee, give such certificate, and shall specify on the face of it the legal proceeding or other purpose for which such certificate is granted.

Application to the Court.

42. *Definition of court.* The court for the purposes of this Act is hereby declared to be the Chancery Division of her Majesty's High Court of Justice.

43. *Application to court.* An application to the court under the Act and these rules may, subject to rules of court under the Supreme Court of Judicature Act, 1875, be made by motion or by application in chambers, or in such other manner as the court may direct.

44. *Submission to court of conflicting claims.* Where the registrar refuses to comply with the claims of any persons until their rights have been determined by the court, the manner in which the rights of such claimants may be submitted by the registrar, or, if the registrar so require, by the claimants, to the court shall, unless the court otherwise order, be by a special case; and such special case shall be filed and proceeded with in like manner as any other special case submitted to the court, or in such other manner as the court may direct.

45. *Settlement of special case.* The special case may be agreed to by the parties, or if they differ may be settled by the registrar.

Cutlers' Company.

46. *Time for delivery of old Sheffield marks.* The time within which the Cutlers' Company are in pursuance of the Act to deliver to the registrar copies of all Sheffield corporate marks in force at the time of such delivery shall be the first day of March, one thousand eight hundred and seventy-six, or such later day as the Lord Chancellor may fix.

47. *Manner of delivery of old Sheffield marks.* Subject to any other directions that may be given by the registrar the manner in which such copies are to be delivered shall be the sending to the registrar of copies as hereinafter defined of such marks, accompanied by a statement of the names, addresses, and callings of the persons to whom such trade marks have been assigned.

48. *Time for delivery of new Sheffield marks.* The time within which the Cutlers' Company are to deliver to the registrar notice of an application to them for assigning any mark or device, with a copy of such mark or device, shall be as soon as practicable after the date at which such company have determined on the mark or device to be assigned.

49. *Manner of delivery of new Sheffield marks.* The manner in which such notice and copy shall be delivered to the registrar shall be the sending to the registrar a notice of the application, accompanied by a statement comprising the like particulars as a statement required to be made by an applicant for the registration of a trade mark by the registrar under the Act, so far as such particulars are known to the Cutlers' Company.

50. *Period between notice to registrar and assignment of new Sheffield marks.* The period before the expiration of which such marks or device shall not be assigned by the Cutlers' Company, shall be six weeks from the date of sending the said notice to the registrar.

51. *Time for notice of application to register new trade marks to Cutlers' Company.* The time within which notice of an application for the registration under the Act of a trade mark as belonging to any particular goods or class of goods specified in section two of the Cutlers' Company's Act, 1860, together with a copy of the trade mark, is to be delivered to the Cutlers' Company, shall be as soon as practicable after the receipt of the application by the registrar.

52. *Manner of giving notice to Cutlers' Company of application.* The manner in which such notice is to be given shall be the sending to the Cutlers' Company a copy of the official journal containing the mark of which notice is required to be given, with a note distinguishing such mark.

53. *Time between notice to Cutlers' Company and registration of trade mark.* The period from the giving of such notice, before the expiration of which the trade mark is not to be registered, shall be six weeks from the date of sending such notice to the Cutlers' Company.

54. *Time for notice of assignment of mark or registration of mark.* The time within which notice of the assignment of any trade mark or device, or the registration of any trade mark, is to be given to the registrar or to the Cutlers' Company (as the case may be) shall be fourteen days after such assignment or registration.

55. *Manner of giving notice of assignment or registration of mark.* The manner in which such notice shall be given shall be the sending a notice of such assignment or registration, with sufficient particulars to identify the mark, or device, or trade mark, to the registrar or Cutlers' Company, as the case may be.

56. *Description of copies for purposes of Cutlers' Company.* A copy of a trade mark for the purpose of these rules when sent by the Cutlers' Company shall be a drawing or representation of the trade mark, and, subject to any other directions that may be given by the registrar, shall be of a size of not less than three inches square, and shall be upon foolscap paper of such size as aforesaid.

Declaration and Evidence.

57. *Dispensing with declaration, evidence, &c.* In any case in which any person is required under this Act to make a declaration on behalf of himself, or of any body corporate, or any evidence is required to be produced to the registrar, the registrar, if satisfied that from any reasonable cause such person is unable to make the declaration, or that such evidence may be dispensed with, may, upon the production of such other declaration or evidence, and subject to such terms as he may think fit, dispense with any such declaration or evidence.

58. *Manner in which and persons before whom declaration is to be taken.* The declarations required by these rules shall be made and subscribed in the United Kingdom under the authority of the Act of the fifth and sixth years of the reign of King William the Fourth, chapter sixty-two, "to repeal an Act of the present session of Parliament, intitled 'An Act for the more effectual abolition of oaths and affirmations taken and made in various departments of the State, and to substitute declarations in lieu thereof, and for the more entire suppression of voluntary and extra-judicial oaths and affidavits,' and to make other provisions for the abolition of unnecessary oaths," and may be made and subscribed before any justice of the peace, or any commissioner or other officer authorized by law in any part of the United Kingdom to administer an oath for the purpose of any legal proceeding.

The declaration, when taken out of the United Kingdom, shall

- (a) If made in any part of her Majesty's dominions be made and subscribed before some court, justice, or officer authorized by law in such part of her Majesty's dominions to administer an oath for the purpose of a legal proceeding; and
- (b) If made out of her Majesty's dominions, be made and subscribed before a British consul, vice-consul, or other consular officer.

59. *Notice of seal of officer taking declaration to prove itself.* Any document purporting to have affixed, impressed, or subscribed thereto or thereon the seal or signature of any person hereby authorized to take such declaration in testimony of such declaration having been made and subscribed before him, may be admitted by the registrar without proof of the genuineness of any such seal or signature, or of the official character of such person or his authority to take such declaration.

60. *Declaration by infant, lunatic, &c.* If any person is, by reason of infancy, lunacy, or other inability, incapable of making any declaration or doing anything required or permitted by the Act or these rules to be made or done by such incapable person, then the guardian or committee, if any, of such incapable person, or, if there be none, any person appointed by any court or judge possessing jurisdiction in respect of the property of incapable persons, upon the petition of any person on behalf of such incapable person, or of any other person interested in the making such declaration or doing such thing, may make such declaration or a declaration as nearly corresponding thereto as circumstances permit, and do such thing in the name and on behalf of such incapable person, and all acts done by such substitute shall for the purpose of the Act and these rules be as effectual as if done by the person for whom he is substituted.

Commissioners of Patents.

61. Registrar subject to Commissioners of Patents.] The registrar, in the exercise of his powers, duties, and discretion under the Act and these rules, shall be subject to the superintendence of the Commissioners of Patents, and shall conform in every case to any instructions, directions, orders, or rules (general or special) that may be issued, given, or made by such commissioners, or any one of them; and he shall in all cases of doubt be entitled to refer to the said commissioners, or any of them, for instructions.

Notices.

62. Notices to be in writing and served by post.] Applications, statements, notices, and documents required by the Act or by these rules to be served or sent shall be in writing or print, or partly in writing and partly in print, and may be delivered personally, or served and sent by post, and if sent by post shall be deemed to have been served and received respectively at the time when the letter containing the same would be delivered in the ordinary course of post; and in proving such service or sending it shall be sufficient to prove that the letter containing the notice was prepaid and put into the post properly addressed.

63. Mode of addressing notices.] Any application, statement, notice, and document to be served or sent on or to the registrar shall be deemed to be properly addressed if addressed to the registrar of trade marks at his office; and if required to be served on or sent to the proprietor of any trade mark shall be deemed to be properly addressed if addressed to the registered proprietor at his registered address.

64. Construction of rules.] These rules shall be construed as if they were part of the Trade Marks Registration Act, 1875, which Act is in these rules referred to as "the Act."

65. Forms.] The forms in the third schedule to these rules or such other forms as the registrar may direct may be used in all cases to which they are applicable.

CAIRNS, C.

We, the Commissioners of Her Majesty's Treasury, do hereby assent to the above rules so far as they relate to fees.

MAHON.

B. WINN.

SCHEDULES.

FIRST SCHEDULE.

Classification of Goods.

ILLUSTRATIONS.

NOTE.—Goods are mentioned in this column by way of illustration, and not as an exhaustive list of the contents of a class.

- Class 1.—Chemical substances used in manufacture, photography, or philosophical research. Such as—Acids, including vegetable acids, alkalies, artists' colours, pigments, mineral dyes.
- Class 2.—Chemical substances used for agricultural and horticultural purposes. Such as—Artificial manure, sheep washes.
- Class 3.—Chemical substances used in medicine and pharmacy. Such as—Tinctures, extracts, barks, patent medicines, cod-liver oil.
- Class 4.—Raw vegetable and animal substances used in manufactures. Such as—Resins, oils, dyes, tanning substances, fibrous substances (e.g. cotton, hemp, flax, jute), wool, silk, cork, seeds, glue, bone, sponge.
- Class 5.—Unwrought and partly wrought metals used in manufacture. Such as—Iron and steel, pig or cast, iron rough; bar and rail, including rails for railways; bolt and rod; sheets, and boiler and armour plates; hoops; wire; lead, pig, rolled, sheet; copper; zinc.
- Class 6.—Machinery of all kinds, and parts of machinery, except agricultural machines and implements included in class 7. Such as—Steam engines, boilers, pneumatic machines, hydraulic machines, locomotives, sewing machines, weighing

Class 7.—Agricultural and horticultural implements and machines.

Class 8.—Philosophical instruments, instruments and apparatus for useful purposes, or for teaching.

Class 9.—Musical instruments.

Class 10.—Horological instruments.

Class 11.—Surgical instruments and apparatus.

Class 12.—Cutlery and edge tools.

Class 13.—Metal goods not included in other classes.

Class 14.—Goods of precious metals (including aluminium, nickel, &c.), and jewellery, and imitations of such goods and jewellery.

Class 15.—Glass.

Class 16.—Porcelain and earthenware.

Class 17.—Manufactures from mineral and other substances for building or decoration.

Class 18.—Engineering, architectural, and building contrivances.

Class 19.—Arms and military stores not included in class 20.

Class 20.—Explosive substances.

Class 21.—Naval architectural contrivances and naval equipments.

Class 22.—Carriages.

Class 23.—Cotton yarn and thread.

Class 24.—Cotton piece goods of all kinds.

Class 25.—Cotton goods not included in classes 23, 24, or 25.

Class 26.—Linen and hemp yarn and thread.

Class 27.—Linen and hemp piece goods.

Class 28.—Linen and hemp goods not included in classes 26 and 27.

Class 29.—Jute yarns and tissues, and other articles made of jute.

machines, machine tools, mining machinery, fire engines.

Such as—Ploughs, drilling machines, reaping machines, thrashing machines, drainage implements, dairy implements, garden implements, cyder presses, beehives.

Such as—Knives, forks, scissors, shears, files, saws, corkscrews, tweezers, button-hooks.

Such as—Plate, clock cases, pencil cases, Sheffield and other plated goods, gilt and ormolu work.

Such as—Window and plate glass, painted glass, glass mosaic, glass for optical purposes.

Such as—China, stoneware, terra-cotta, statuary porcelain, tiles, bricks.

Such as—Cement, plaster, imitation marble.

Such as—Diving apparatus, warming apparatus, ventilating apparatus, filtering apparatus, lighting contrivances, drainage contrivances, electric bells.

Such as—Cannon, small-arms, fowling-pieces, swords, shot and other projectiles, camp equipment, military equipments, military accoutrements.

Such as—Gunpowder, gun cotton, dynamite, fog-signals, percussion caps, fireworks, cartridges.

Such as—Boats, anchors, chain cables, windlasses, rigging, logs.

Such as—Railway carriages, waggons, railway trucks, velocipedes.

Class 30.—Silk, spun, thrown, or sewing.

Class 31.—Silk piece goods.

Class 32.—Other silk goods not included in classes 30 and 31.

Class 33.—Woollen and worsted yarns.

Class 34.—Woollen cloths and worsted stuffs.

Class 35.—Woollen and worsted goods not included in classes 33 and 34.

Class 36.—Carpets, floor-cloth, and oil-cloth. Such as—Drugget, mats and matting, rugs.

Class 37.—Leather, and skins, wrought and unwrought, and hair and feathers. Such as—Saddlery, harness, portmanteaus, furs, bristles, haircloth, wigs, hair mattresses.

Class 38.—Articles of clothing. Such as—Hats of all kinds, caps and bonnets, hosiery, gloves, boots and shoes, other ready-made clothing.

Class 39.—Paper (except paper hangings), stationery, printing, and book-binding. Such as—Envelopes, sealing wax, pens (including steel pens), ink, playing cards, blotting cases.

Class 40.—Goods manufactured from india-rubber and gutta-percha not included in other classes.

Class 41.—Furniture and upholstery. Such as—Paper-hangings, papier-mâché, mirrors, Japan goods.

Class 42.—Substances used as food. Such as—Cereals, pulses, oils, hops, malt, dried fruits, tea, spices, sago, salt, starch, sugar, preserved meats, honey, confectionery, biscuits, oil cakes, &c., pickles, vinegar.

Class 43.—Fermented liquors and spirits. Such as—Beer, cyder, wine, whisky, liquors.

Class 44.—Mineral and aerated waters, natural and artificial.

Class 45.—Tobacco, whether manufactured or unmanufactured.

Class 46.—Seeds for agricultural and horticultural purposes.

Class 47.—Candles, illuminating oils, matches, and common soap.

Class 48.—Perfumery (including perfumed soap).

Class 49.—Toys. Games of all kinds. Archery. Fishing-tackle.

Class 50.—Miscellaneous, including (1) goods manufactured from ivory, bone, wood not included in other classes. (2) Goods manufactured from straw or grass not included in other classes. (3) Goods manufactured from animal and vegetable substances not included in other classes. (4) Tobacco pipes. (5) Umbrellas. (6) All goods not included in the foregoing classes.

GENERAL NOTE.

Any wares made of mixed materials (for example, of both cotton and silk) shall be included in such one of the classes appropriated to those materials as the registrar may decide.

SECOND SCHEDULE.

FEES.

The following fees shall be payable to the registrar on or for the following occasions or purposes:—

	£	s.	d.
1. On application to register one trade mark for one or more articles included in one class	1	0	0
2. On application to register more than one trade mark for one or more articles included in one class, for each additional trade mark after the first.	0	10	0
3. On application to register a trade mark in respect of goods in different classes, for every class after the first to which such trade mark is extended, an additional fee of	0	2	0
4. For registration of one trade mark	1	0	0
5. Where the same person is registered at the same time for more than one trade mark, for registration of each additional mark after the first	0	10	0
6. Where the same person is registered at the same time for the same trade mark in respect of goods in different classes, for the registration of one mark in each class after the first an additional fee of	0	2	0
7. For entering notice of opposition	2	0	0
8. For registering subsequent proprietor	1	0	0
9. For altering address on the register	0	5	0
10. For every entry in the register of a rectification thereof or an alteration therein, not otherwise charged	0	10	0
11. For continuance of mark at expiration of fourteen years	2	0	0
12. Additional fee where fee is paid within three months after expiration of fourteen years	1	0	0
13. Additional fee for restoration of trade mark when removed for non-payment of fee	2	0	0
14. For certificate	1	0	0
15. For inspecting register, for every quarter of an hour	0	1	0
16. For office copy of documents, 2d. per folio, but never less than	0	1	0
17. Settling a special case by registrar	2	0	0

Note.

If a copy of a trade mark is required for any purpose such copy shall be supplied by, or at the expense of, the applicant.

THIRD SCHEDULE.

FORM A.

Form of Statement on Application for Registration of one Trade Mark.

I,* [John Jones, of Moon-street, in the city of Birmingham, pharmaceutical chymist] apply to be registered as proprietor of a trade mark† [being a goat's head and neck with a gold collar attached thereto], and which is represented in the paper annexed hereto.

I desire that the said trade mark may be registered in respect of the description of goods following, contained in [Class I., that is to say,‡ acids, including vegetable acids, alkalies, artists' colours, pigments, mineral dyes].

I have used the said trade mark in respect of the said goods for [ten] years before the date of this statement.‡

¶ The day of 187 .

(Signed) John Jones.¶

* Here insert name, address, and calling of the applicant.

† Here insert in writing description of trade mark. ‡ Here insert description of the goods, and the class or classes under which the applicant desires to have them registered. § This paragraph may be omitted if the trade mark was not used before the 13th of August, 1875. ¶ Here insert date. ¶ Here insert signature.

FORM B.

Form of Statement on Application for Registration of more than one Trade Mark.

I,* [John Jones, of Moon-street, in the city of Birmingham, pharmaceutical chymist] apply to be registered as proprietor of the following trade marks, numbered from "1" to

The trade marks are described as follows; that is to say,
No. 1 is †

and is represented on paper 1 annexed hereto.

No. 2 is †
and is represented on paper 2 annexed hereto [and so forth].
I desire that the said trade marks may be registered in respect of the descriptions of goods following; that is to say,
As to No. 1, in respect of the following goods contained in class †

As to No. 2, in respect of the following goods contained in class † [and so forth].

§ I have used the trade marks numbered [respectively] and in respect of the goods for which I desire them to be registered for years from the date of this statement.

¶ The day of 187. (Signed) John Jones.¶

* Here insert name, address, and calling of the applicant.
† Here insert in writing description of trade mark. ‡ Here insert description of the goods and the class or classes under which the applicant desires to have them registered. § This paragraph may be omitted if the trade marks were not used before the 13th of August, 1875. ¶ Here insert date. ¶ Here insert signature.

FORM C.

Form of Declaration to accompany Statement on Application for Registration of one Trade Mark.

I, A. B., of , do hereby solemnly and sincerely declare, to the best of my knowledge and belief, as follows:—

- (1) The statement signed by me and dated the day of , and marked with the letter "A," and shown to me at the time of making this declaration is true;
- (2) The description of the trade mark in such statement is a true description of the trade mark for the registration of which I apply;
- (3) I am lawfully entitled to the use of the trade mark of which the said description is a true description.

(Signed) A. B.

Declared before me

NOTE.—The above form will require to be altered so as to suit an application for the registration of more than one trade mark.

FORM D.

Form of Assignment of Trade Mark.

Trade mark, class *

Name

Place of business

I, A. B., of , in the county of , being registered proprietor of the trade mark above particularly described, in consideration of pounds paid to me by E. F., carrying on business at , in the county of , under the firm of F. & Co., hereby assign the said trade mark to the said E. F., together with the goodwill of the business concerned in the goods with respect to which the trade mark is registered.

In witness whereof I have hereunto subscribed my name and affixed my seal, this day of , 18 .

(Signed)
Executed by the above-named A. B., in the presence of

[insert description and place of residence].

Executed by the above-named E. F., in the presence of

* Here enter number or other means of identifying trade mark in register. † Alter as necessary if there be more than one proprietor.

FORM E.

Declaration by Transmitter applying to be registered as Proprietor.

Trade mark, class , No. *

Name of owner

Firm

Place of business

(1) I, the undersigned A. B., of , in the county of , carrying on business at , in the county of , declare as follows:

I declare that A. B., the registered proprietor of the trade mark above described † [died at , in the county of , having first made his will, dated the day of , whereby he appointed me executor, and I proved [or confirmed] his said will on the day of , in the court of], or [died at , in the county of , on the day of , intestate, and letters of administration of his estate and effects were [confirmation as executor of the said

was] on the day of duly granted to me by the court of]:

Or,

I declare, that [the estate of] C. D., the registered proprietor of the trade mark above described, was, on the day of duly § [adjudged a bankrupt] [sequestrated], and that I was on the day of appointed trustee of the [sequestrated] estate of the said C. D., and I am by law entitled to be registered as proprietor of the said trade mark in place of the said C. D. :

Or,

I declare, that on the day of I intermarried with and am now the husband of C. D., the registered proprietor of the trade mark above described; and ¶ I declare that on such marriage the interest of the said C. D. in the said trade mark and in the goodwill of the business concerned in the goods with respect to which the trade mark is registered became by law vested in me, and that I am entitled to be registered as owner of the said trade mark in place of the said C. D., and I declare that C. D. is the person referred to in the annexed certificate.

(2) I am lawfully entitled to the goodwill ¶ of the business concerned in the goods with respect to which the trade mark so transmitted to me is registered.

And I make this solemn declaration believing the same to be true.

(Signed)

dated at , the day of , 18 .

Made and subscribed by the above-named A. B., in the presence of me,

(Signed)

Name of registrar [or justice of the peace acting in and for or, &c.]

* Here enter number or other means of identifying trade mark in register. † Alter accordingly, if more than one person makes the declaration. ‡ Alter according to circumstances. § Alter according to circumstances. ¶ Alter according to circumstances. ¶ If the declarant is entitled only to some share in the goodwill, the share must be specified.

SUPREME COURT OF JUDICATURE.

HILARY SITTINGS FOR JANUARY AND FEBRUARY, 1876.

COURT OF APPEAL.

Lincoln's-inn.

Tuesday Jan. 11	{ App. motns. ex pte. Apps. from orders made on interlocutory motns. and other apps.	Thursday .. 3 { Birt. apps. & other apps.
		Friday .. 4 { apps.
		Saturday .. 5 { Appeals.
		Monday .. 7 { Tuesday .. 8 {
Wednesday 12.	Appeals.	
Thursday .. 13	{ Bicy. apps. and other apps.	Wednesday 9 { App. motns. ex pte. apps. from orders made on Interlocutory motns. & other apps.
Friday .. 14	Appeals.	Thursday .. 10 { Bicy. app. & other apps.
Saturday .. 15	Appeals.	Friday .. 11 { apps.
Monday .. 17		Saturday .. 12 { Appeals.
Tuesday .. 18	{ Apps. from the County Palatine of Lancast., apps. from the Stanlie-Ct. and other apps. App. motns. ex pte. apps. from orders made on inter-locutory motions & other apps.	Monday .. 14 { Tuesday .. 15 {
Wednesday 19	{ Apps. from the County Palatine of Lancast., apps. from the Stanlie-Ct. and other apps. App. motns. ex pte. apps. from orders made on inter-locutory motions & other apps.	Wednesday 16 { App. motns. ex pte. apps. from orders made on inter-locutory motions & other apps.
Thursday .. 20	{ Bicy. apps. & other apps.	Thursday .. 17 { Bicy. apps. & other apps.
Friday .. 21	Appeals	Friday .. 18 { apps.
Saturday .. 22	Appeals	Saturday .. 19 { Appeals.
Monday .. 23	Appeals	Monday .. 21 { Tuesday .. 22 {
Tuesday .. 24		
Wednesday 25	{ App. motns. ex pte. apps. from orders made on inter-locutory motions, and other apps.	Wednesday 23 { App. motns. ex pte. apps. from orders made on inter-locutory motions, & other apps.
Thursday .. 27	{ Bicy. apps. & or. apps.	Thursday .. 24 { Bicy. apps. & other apps.
Friday .. 28	Appeals.	Friday .. 25 { apps.
Saturday .. 29	Appeals.	Saturday .. 26 { Appeals.
Monday .. 31	Appeals.	Monday .. 28 { Tuesday .. 29 {
Tuesday Feb 1		
Wednesday .. 2	{ App. motns. ex pte. apps. from orders made on inter-locutory motions, & other apps.	Wednesday .. 23 { App. motns. ex pte. apps. from orders made on inter-locutory motions, & other apps.

N.B.—The Lords Justices will take Petitions in Lunacy every Saturday during the sitting.

HIGH COURT OF JUSTICE—CHANCERY DIVISION.

MASTER OF THE ROLLS.

At the Rolls House.

Tuesday Jan. 11	Motns. adj. sams. & gen. pa.
Wednesday 12	General paper.
Thursday 13	
Friday 14	Petns. sht. caus. & gen. pa.
Saturday 15	Petns. sht. caus. & gen. pa.
Monday 17	
Tuesday 18	General paper.
Wednesday 19	
Thursday 20	Motns. adj. sams. & gen. pa.
Friday 21	General paper.
Saturday 22	Petns. sht. caus. & gen. pa.
Monday 24	
Tuesday 25	General paper.
Wednesday 26	
Thursday 27	Motns. adj. sams. & gen. pa.
Friday 28	General paper.
Saturday 29	Petns. sht. caus. & gen. pa.
Monday 31	
Tuesday Feb. 1	General paper.
Wednesday 2	Motns. adj. sams. & gen. pa.
Thursday 3	General paper.
Friday 4	Petns. sht. caus. & gen. pa.
Saturday 5	adj. sams. & gen. pa.
Monday 7	
Tuesday 8	General paper.
Wednesday 9	
Thursday 10	Motns. adj. sams. & gen. pa.
Friday 11	General paper.
Saturday 12	Petns. sht. caus. & gen. pa.
Monday 14	
Tuesday 15	General paper.
Wednesday 16	
Thursday 17	Motns. adj. sams. & gen. pa.
Friday 18	General paper.
Saturday 19	Petns. sht. caus. & gen. pa.
Monday 21	
Tuesday 22	General paper.
Wednesday 23	
Thursday 24	Motns. adj. sams. & gen. pa.
Friday 25	General paper.
Saturday 26	Petns. sht. caus. & gen. pa.
Monday 28	
Tuesday 29	General paper.

N.B.—The days, if any, on which the Master of the Rolls shall be engaged in a court of appeal are excepted.

Unopposed petitions must be presented, and copies left with the secretary, on or before the Thursday preceding the Saturday on which it is intended they should be heard; and any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard, and the necessary papers must be left in court with the judge's officer the day before the cause is to be put in the paper.

V. C. Sir RICHARD MALINS.
Lincoln's-inn.

Tuesday Jan. 11	Motns. & gen. pa.
Wednesday 12	General paper.
Thursday 13	
Friday 14	Petns. & gen. pa.
Saturday 15	Short causes, adj. sams. & gen. pa.
Monday 17	
Tuesday 18	General paper.
Wednesday 19	
Thursday 20	Motns. & gen. pa.
Friday 21	Petns. & gen. pa.
Saturday 22	Sht. causes, adj. sams. & gen. pa.
Monday 24	
Tuesday 25	General paper.
Wednesday 26	

Thursday 27	Motns. & gen. pa.
Friday 28	Petns. & gen. pa.
Saturday 29	Short causes, adj. sams. & gen. pa.
Monday 31	
Tuesday Feb. 1	General paper.
Wednesday 2	
Thursday 3	Motns. & gen. pa.
Friday 4	Petns. & gen. pa.
Saturday 5	Sht. causes, adj. sams. & gen. pa.
Monday 7	
Tuesday 8	General paper.
Wednesday 9	
Thursday 10	Motns. & gen. pa.
Friday 11	Petns. & gen. pa.
Saturday 12	Sht. causes, adj. sams. & gen. pa.
Monday 14	
Tuesday 15	General paper.
Wednesday 16	
Thursday 17	Motns. & gen. pa.
Friday 18	Petns. & gen. pa.
Saturday 19	Sht. causes, adj. sams. & gen. pa.
Monday 21	
Tuesday 22	General paper.
Wednesday 23	
Thursday 24	Motns. & gen. pa.
Friday 25	Petns. & gen. pa.
Saturday 26	Sht. causes, adj. sams. & gen. pa.
Monday 28	
Tuesday 29	General paper.

Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard, and the necessary papers must be left in court with the judge's officer the day before the cause is to be put into the paper.

V. C. Sir JAMES BACON.
Lincoln's-inn.

Tuesday Jan. 11	Motns. adj. sams. & gen. pa.
Wednesday 12	
Thursday 13	General paper.
Friday 14	
Saturday 15	Petns. sht. caus. & gen. pa.
Monday 17	In Bankruptcy.
Tuesday 18	
Wednesday 19	General paper.
Thursday 20	Mts. adj. sams. & gen. pa.
Friday 21	General paper.
Saturday 22	Petns. sht. caus. & gen. pa.
Monday 24	In Bankruptcy.
Tuesday 25	General paper.
Wednesday 26	
Thursday 27	Motns. adj. sams. & gen. pa.
Friday 28	General paper.
Saturday 29	Petns. sht. caus. & gen. pa.
Monday 31	In Bankruptcy.
Tuesday Feb. 1	General paper.
Wednesday 2	
Thursday 3	Motns. adj. sams. & gen. pa.
Friday 4	General paper.
Saturday 5	Petns. sht. caus. & gen. pa.
Monday 7	In Bankruptcy.
Tuesday 8	General paper.
Wednesday 9	
Thursday 10	Motns. adj. sams. & gen. pa.
Friday 11	General paper.
Saturday 12	Petns. sht. caus. & gen. pa.
Monday 14	In Bankruptcy.
Tuesday 15	General paper.
Wednesday 16	
Thursday 17	Motns. adj. sams. & gen. pa.
Friday 18	General paper.
Saturday 19	Petns. sht. caus. & gen. pa.
Monday 21	In Bankruptcy.
Tuesday 22	General paper.
Wednesday 23	
Thursday 24	Mts. adj. sams. & gen. pa.
Friday 25	General paper.
Saturday 26	Petns. sht. caus. & gen. pa.
Monday 28	In Bankruptcy.
Tuesday 29	General paper.

Any cause intended to be heard as a short cause must be so marked in the cause book at least one clear day before the same can be put in the paper to be so heard, and the necessary papers must be left in court with the judge's officer the day before the cause is to be put into the paper.

V. C. Sir CHARLES HALL.
Lincoln's-inn.

Tuesday Jan. 11	Motns. adj. sams. & gen. pa.
Wednesday 12	
Thursday 13	General paper.
Friday 14	Petns. & gen. pa.
Saturday 15	Short caus. & gen. pa.
Monday 17	
Tuesday 18	General paper.
Wednesday 19	
Thursday 20	Motns. adj. sams. & gen. pa.
Friday 21	Petns. & gen. pa.
Saturday 22	Sht. caus. & gen. pa.
Monday 24	
Tuesday 25	General paper.
Wednesday 26	
Thursday 27	Motns. adj. sams. & gen. pa.
Friday 28	Petns. & gen. pa.
Saturday 29	Sht. caus. & gen. pa.
Monday 31	
Tuesday Feb. 1	General paper.
Wednesday 2	
Thursday 3	Motns. adj. sams. & gen. pa.
Friday 4	Petns. & gen. pa.
Saturday 5	Sht. caus. & gen. pa.

Further considerations will be taken as part of the general paper in priority to original causes which have not already appeared in the paper.

MONEY MARKET AND CITY INTELLIGENCE.

The Bank rate was raised on Thursday from 3 to 4 per cent., the reserve having fallen to 33 per cent. The markets have been extremely quiet, the settlement of the account, which commenced on Tuesday, having occupied the attention of the dealers. The home railway market is very firm, the near approach of the dividends preventing investors from selling. Consols close at 93½ to 94 for money and account.

BIRTHS.

BIRTHS.

BALMER—Dec. 27, at 13, Sydenham-villas, Cheltenham, the wife of J. Percival Balmer, barrister-at-law, and one of H.M. Inspectors of Schools, of a son.
BIDDER—Dec. 26, at 6, Cedars-road, Clapham-common, the wife of G. P. Bidder, jun., Q.C., of a son.
FRASER—Dec. 22, at 13, Wellesley-villas, Ashford, Kent, the wife of Mr. James Fraser, solicitor, of a daughter.
GLEN—Dec. 30, at Shepherd's-bush, the wife of Alexander Glen, of the Middle Temple, barrister-at-law, of a son.
LUSHINGTON—Dec. 28, at 33, Norfolk-square, W., the wife of Franklin Lushington, barrister-at-law, of a son.
SMITH—Dec. 27, at Ivy Bank, Beckenham, the wife of Horace Smith, barrister-at-law, of a daughter.

The Trade Mark Registry Office will be opened to-day, 1st of January, in Quality-court, Chancery-lane. Mr. H. R. Lack, of the Board of Trade, is appointed registrar.

Judge Cole, of Iowa, in tendering his resignation of the office of judge of the Supreme Court, says: "I am prompted to do this, because of the inadequacy of the salary to the support of my family."

It is stated that Mr. G. Parsons Hester, the Town Clerk, Registrar of the Borough Court, and Clerk of the Peace of Oxford, has been compelled to resign these important offices owing to advanced age and failing health. Mr. Hester being nearly eighty years of age. His successor will be appointed by the town council to-day.

LONDON GAZETTES.

Winding up of Joint Stock Companies.

FRIDAY, Dec. 24, 1875.
LIMITED IN CHANCERY.

Compagnie Generale de Bellegarde, Limited.—Petition for winding up, presented Dec 18, directed to be heard before V.C. Bacon on Jan 15.
Emslie and Co, Leadenhall st, solicitors for the petitioner.

East Norfolk Tramway Company, Limited.—The M.R. has, by an order dated Nov 27, appointed Charles Lee Nichols, Gresham buildings, Basinghall st, to be official liquidator. Creditors are required, on or before Jan 24, to send their names and addresses, and the particulars of their debts or claims, to the above. Monday, Feb 7, at 11, is appointed for hearing and adjudicating upon the debts and claims.

Goitre Wen Llanennech Merthyr Smokeless Steam Coal Company, Limited.—Creditors are required, on or before Jan 20, to send their names and addresses, and the particulars of their debts or claims, to John Hudson Smith, The Exchange, Bristol. Thursday, Jan 27, at 12, is appointed for hearing and adjudicating upon the debts and claims.

Northumberland Engine Works Company, Limited.—By an order made by V.C. Malins, dated Dec 18, it was ordered that the above company be wound up. Scott, South square, solicitor for the petitioner.

Quebehn Engine Works Company, Limited.—V.C. Bacon has, by an order dated Nov 30, appointed John George Benson, Newcastle-on-Tyne, and William Nuttall, Olthau, to be official liquidators.

Patent Cocos Fibre Company, Limited.—Petition for winding up, presented Dec 17, directed to be heard before the M.R. on Jan 15. Cowdell and Co, Sudge row, Cannon st, agents for Walter and Durham, Kingston-on-Thames, solicitors for the petitioners.

Peat, Coal, and Charcoal Company, Limited.—V.C. Malins has, by an order dated July 30, appointed George Augustus Cape, Old Jewry, official liquidator.

Printing and Numerical Registering Company, Limited.—Petition for winding up, presented Dec 23, directed to be heard before the M.R. on Jan 15. Newman and Co, Cornhill, solicitors for the petitioner.

Volunteer Co-operative and General Equipment Company, Limited.—Creditors are required, on or before Jan 23, to send their names and addresses, and the particulars of their debts or claims, to Robert Scarlett, King Edward st, Newgate st. Tuesday, Feb 8, at 11, is appointed for hearing and adjudicating upon the debts and claims.

Walney Land and Building Company, Limited.—V.C. Hall has, by an order dated Dec 15, appointed Matthew Deane, Kendal, to be official liquidator.

COUNTY PALATINE OF LANCASTER.

Wallasey Social Club and Concert Hall Company, Limited.—Petition for winding up, presented Dec 13, directed to be heard before the V.C. at 6, Stone buildings, Lincoln's Inn, on Jan 11. Dodge and Phipps, Liverpool, solicitors for the petitioner.

STANBARDIES OF CORNWALL.

North Rosewarne Mining Company.—Petition for winding up, presented Dec 16, directed to be heard before the Vice-Warden at the Law Institution, Chancery lane, on Jan 6, at 3. Affidavits intended to be used at the hearing, in opposition to the petition, must be filed at the registrar's office, Truro, on or before Jan 3, and notice thereof must at the same time be given to the petitioners, their solicitors, or their agents. Gregory and Co, Bedford row, agents for Hodge and Co, Truro, solicitors for the petitioners.

TUESDAY, Dec. 28, 1875.

LIMITED IN CHANCERY.

Brennon's Patent Fireproof Sanitary and Permanent Works Company, Limited.—Creditors are, on or before Jan 28, to send their names and addresses, and the particulars of their debts or claims, to Alfred Audley Broad, Walbrook. Friday, Feb 11, at 11, is appointed for hearing and adjudicating upon the debts and claims.

British Imperial Insurance Corporation, Limited.—By an order made by V.C. Hall, dated Dec 18, it was ordered that the above corporation be wound up. Whites and Co, Budge row, Cannon st, solicitors for the petitioner.

Erimus Iron Company, Limited.—The M.R. has fixed Jan 10, at 11, at his chambers, for the appointment of an official liquidator.

Mountain Chief Mining Company of Utah, Limited.—By an order made by V.C. Malins, dated Dec 18, it was ordered that the above company be wound up. Heritage, Nicholas lane, solicitor for the petitioner.

Turine Company, Limited.—The M.R. has fixed Saturday, Jan 8, at 12, at his chambers, for the appointment of an official liquidator.

Creditors under Estates in Chancery.

Last Day of Proof.

TUESDAY, Dec. 21, 1875.

Chinchen, James, East Cowes, Isle of Wight, Builder. Jan 15.
Chinchen v Nobbs, V.C. Hall. Walker, King's rd, Gray's inn
Coventry, George, Greenbank, Wapping, Greengrocer. Jan 21.
Coventry v Wright, M.R. King, Chancery lane
Coventry, John Charles, Charles st, Greenfield st, Commercial rd east,
Mathematical Instrument Maker. Jan 21. Coventry v Germain,
M.R. King, Chancery lane
Craven, Benjamin, Haslehead, York, Ironmaster. Jan 17. Craven v
Craven, M.R. Chadwick, Dewsbury
Eastwood, John, Eiland, York, Machine Maker. Jan 21. Jackson v
Rothwell, District Registrar, Halifax. Jobb, Halifax
Hastie, Robert, Oliver's terrace east, Bow rd, Esq. Jan 20. Hastie v
Hastie, V.C. Bacon. Hollams, jun, Mincing lane
Leigh, Henry Blundell, Amington Hall, Warwick, Esq. Jan 31.
Leigh v Leigh, V.C. Malins. Gregory and Co, Bedford row
Nowell, Edward Henry, Henkelow, Cheshire, Esq. Jan 31. Nowell v
Nowell, V.C. Hall. Blakley and Bewick, Bedford row
Prior, Mary, Blundford square. Jan 21. Hawes v Prior, M.R. Ware
and Hawes, Great Winchester st buildings

Teague, William, Redruth, Cornwall, Grocer. Jan 20. Teague v
Thomas, V.C. Malins. Holloway, Redruth
Thurlow, Edwin, Caledonian rd, Provision Dealer. Jan 18. Barrett v
Sewell, M.R. Murr, Chancery lane
Townsend, Hannah, Loxington Priors, Warwick. Jan 21. Hart v
Hart, M.R. Foster, Birmingham
Wilson, Thomas, Sherborne, York, Farmer. Jan 15. Atkinson v
Wilson, V.C. Hall. Woodall, Scarborough

Bankrupts.

FRIDAY, Dec. 24, 1875.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.
To Surrender in London.

Bowyer, William Edwin, Cullum st, Tea Broker. Pet Dec 21. Hazitt,
Jan 12 at 1
Waters, Robert Edmund Chester, Campden hill gardens, Kensington,
no trade. Pet Dec 20. Brougham. Jan 11 at 2

To Surrender in the Country.

Bellair, Jeremiah, Holbeach, Lincoln, Potato Merchant. Pet Dec 21.
Partridge. King's Lynn, Jan 11 at 11
Blanco, Moses, Cheetham, Manchester, Commission Agent. Pet Dec
22. Hulton. Salford, Jan 19 at 11
Saely, William, Witney, Oxford, Auctioneer. Pet Dec 21. Bishop,
Oxford, Jan 12 at 12
Wallis, Sergeant, Granchester, Cambridge, Farmer. Pet Dec 17. Eaden,
Cambridge, Jan 6 at 12

TUESDAY, Dec. 28, 1875.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar
To Surrender in London.

Frigout, Henry, Westmoreland st, Weymouth st, Portland place,
Lodging House Keeper. Pet Dec 23. Murray. Jan 14 at 12
Henkel, Frederick William, Great Tower st, Foreign Goods Importer.
Pet Dec 23. Murray. Jan 18 at 12

To Surrender in the Country.

Leyland, Sarah, Wigan, Lancashire, Lodging House Keeper. Pet Dec
22. Woodcock. Wigan, Jan 11 at 11
Phillips, Henry Thomas, Addington, Kent, Dealer in Hop Poles. Pet Dec
24. Scudamore. Maidstone, Jan 19 at 2

BANKRUPTCIES ANNULLED.

FRIDAY, Dec. 24, 1875.

Albert, John Gabriel, Ludgate hill, Architect. Dec 18
Tregent, Henry, Basinghall st, Merchant. Dec 23
White, Samuel, Preston, Rutland, Cottager. Dec 20

TUESDAY, Dec. 28, 1875.

Hocking, Thomas, Truro, Cornwall, Smith. Dec 22
Rickotts, Aubrey, Lee, Kent, Gent. Dec 24

Liquidation by Arrangement.
FIRST MEETINGS OF CREDITORS.

FRIDAY, Dec. 24, 1875.

Allen, James Thomas, Birmingham, Gola Plate Stud Maker. Jan 5 at
3 at offices of Lowe, Temple st, Birmingham
Appelle, Samson, Musford, Somerset, Carpenter. Jan 6 at 11 at office
of Watts, Yeovil
Archer, Thomas, Henry, Kenilworth, Warwick, Draper. Jan 13 at 3 at
the Woolpack Hotel, Market square, Warwick. Homer, Coventry
Bailey, Hubert, Chadsmore, Stafford, Greengrocer. Jan 13 at 3 at
offices of Sheldon, Lower High st, Wednesbury
Balchin, Francis Augustus, Kentford, Suffolk, Horse Trainer. Jan 11
at 12 at the White Hart Hotel, Newmarket. Hine and Co, College
hill
Bale, Susannah, Hatherett, Norfolk, Wheelwright. Jan 6 at 3 at
offices of Sudd and Linvy, Church st, Theatre st, Norwich
Boote, Thomas, Hanley, Stafford, Writing Clerk. Jan 3 at 11 at the
Saracen's Head Hotel, Hanley
Booth, William, Birmingham, Coal Dealer. Jan 5 at 11 at the Acorn
Hotel, Temple st, Birmingham. Robinson and Sons, Birmingham
Boulter, William Henry, Bridgend, Glamorgan, Builder. Jan 14 at 3 at
offices of Walker, Caroline st, Bridgend
Bronson, Daniel Richard, Avebury, Wilt, Farmer. Jan 15 at 11.30
at the Castle and Bell Hotel, Marlborough. Cave, Newbury
Broome, George, and John Broome, Willmer gardens, Hoxton, Timber
Merchants. Jan 5 at 3 at offices of Cooke, Gray's inn square
Broome, John, Salford, Lancashire, Beer Retailer. Jan 17 at 11 at
offices of Bote and Edgar, George st, Manchester
Brown, William, Yeading, York, Woollen Manufacturer. Jan 4 at 2.30
at offices of Simpson and Burrell, Albion st, Leeds
Bruce, William, and Thomas Dunbath Field, Liverpool, Hoislers. Ja
3 at 2 at offices of Stephens and Danger, Cook st, Liverpool
Callow, Thomas, Wilmshole, Cheshire, Innkeeper. Jan 11 at 3 at the
Clarence Hotel, Manchester. Toy and Broadbent, Ashton-under-
Lyme
Cantor, Jacob, Houndsditch, Wholesale Clothier. Jan 18 at 11 at offices
of Brighton and Parker, Bishopsgate st without
Carter, Thomas, Chippinham rd, Auctioneer. Jan 5 at 2 at offices of
Childley, Queen Victoria st
Chatterton, Henry, and Joseph Chatterton, Penketh, Lancashire, Tool
Manufacturers. Jan 7 at 3 at offices of Davies and Co, Bowsey st,
Warrington. Davies and Brook, Warrington
Cheetham, William, and Humphrey Cheetham, Tyldesley, nr Leigh,
Lancashire, Farmers. Jan 7 at 3 at offices of Gardner, Brown st,
Manchester
Cookson, John, Bradley, York, Farmer. Jan 5 at 11 at offices of
Barker and Sons, Estate buildings, Huddersfield
Cooper, John, Harlestone, Northampton, Farmer. Jan 6 at 3 at offices
of Becke, Market square, Northampton
Copham, Charles, Taunton, Somerset, Fishing Tackle Maker. Jan 8 at
2 at offices of Reed and Cook, Pall st, Taunton

- Cox, Charles John, Manchester, Commission Agent. Jan 19 at 11 at offices of Sutton and Elliott, Brown st, Manchester
- Daley, John Edward, Aston-juxta-Birmingham, Grocer. Jan 4 at 11 at offices of Hadley, Temple row, West Birmingham
- Dawson, Abraham, Essex rd, Islington, Corn Chandler. Jan 17 at 2 at offices of Parry, Guildhall chambers, Basinghall st
- Edels, Aaron, Cardiff, Glamorgan, Picture Frame Manufacturer. Jan 6 at 11 at offices of Alexander Brothers, St. Mary st, Cardiff. Davis, Cardiff
- Evans, Charles John, Abergevenny, Monmouth, Innkeeper. Jan 12 at 12 at the Angel Hotel, Abergevenny. Brown, Brynmawr
- Friend, Amelia Lewis, Strand, Authoress. Jan 12 at 12 at offices of Gamble and Harvey, Gresham buildings, Basinghall st. Conin and Rivola, Southampton st, Bloomsbury
- Gell, John, Bedford, Licensed Victualler. Jan 1 at 3 at offices of Stimson, Mill st, Bedford
- Gill, Francis, Wandsworth rd, Builder. Jan 5 at 10 at offices of Childley, Queen Victoria st
- Gillespie, William, St. Srieland, Durham, Draper. Jan 12 at 12 at offices of Robinson, John st, Sunderland
- Godard, James, Ashton-under-Lyne, Lancashire, Grocer. Jan 10 at 3 at offices of Toy and Broadbent, Park parade, Ashton-under-Lyne
- Godfrey, William, Watlington, Oxford, Brewer. Jan 12 at 12 at offices of Swears, Corn Market at, Oxford
- Gedy, Ebenezer, Landport, Hants, Draper. Jan 6 at 12 at offices of Ladbury and Co, Chesapeake. Carr and Co, Basinghall st
- Hall, Joseph, High st, Hemington, Grocer. Jan 6 at 11 at 25, Great James st, Middleton St George, Durham, Butcher. Jan 13 at 11 at offices of Barron, High row, Darlington
- Hendley, Leon, George yard, Princes st, Leicester square, Carpenter. Jan 6 at 10 at offices of Allen, Strand
- Horton, John, Smethwick, Stafford, Managerto a Boot Maker. Jan 7 at 10 at offices of Beaton, Victoria buildings, Temple row, Birmingham
- Hunter, John Parkyn, Margate, Kent, Grocer. Jan 3 at 12 at the Guildhall Coffee House, Gresham st. Sankey and Co, Margate
- Jackson, John, Bradford, York, Draper. Jan 8 at 10 at offices of Berry and Robinson, Charles st, Bradford
- Jenkins, Jenkin, Manchester, Joiner. Jan 13 at 11 at offices of Whitt, King st, Manchester. Smith, Manchester
- Jones, David, Merthyr Tydfil, Glamorgan, Cabinet Maker. Jan 5 at 11 at offices of Beddoe, Victoria st, Merthyr Tydfil
- Jones, Henry, Wigan, Lancashire, Plumber. Jan 8 at 11 at offices of Lees, King st, Wigan
- Jones, Isaac, Collier st, Pentonville, Dairyman. Jan 6 at 12 at offices of Evans and Eagles, John st, Bedford row
- Jones, Joseph Owen, David Saunders, and Anne Matilda Price, Llanamell, Glamorgan, Colliery Proprietors. Jan 6 at 2 at offices of Denning and Co, Shannon court, Bristol. Fussell and Co
- Kinder, Frank, Chesterton, Cambridge, Patentee. Jan 4 at 12 at offices of Wayman, Silver st, Cambridge
- Lambert, Benjamin, Kentish town rd, Boot Maker. Jan 1 at 12 at Butler's Hotel, Holborn. Marshall
- Lawton, Robert Scarlett Young, and George Head, Queen Victoria st, Merchants. Jan 18 at 2 at the Terminus Hotel, Cannon st. Walls and Co, Queen Victoria st
- Ledger, Thomas, Ossett, York, Beerhouse Keeper. Jan 3 at 10 at offices of Shaw, Bond st, Dewsbury
- Madell, Henry George, Hampden rd, Upper Holloway, Railway Clerk. Jan 10 at 1 at offices of Fisher, Leicester square
- Makepeace, Robert, Tunbridge Wells, Kent, Accountant. Jan 13 at 3 at offices of Lewis and Co, Old Jewry
- Mason, Thomas, Burwell, Cambridge, Farmer. Jan 7 at 3 at offices of French, St. Andrew's hill, Cambridge
- Mellor, William Henry, Barrow-in-Furness, Lancashire, Ale Merchant. Jan 11 at 12 at the Imperial Hotel, Barrow-in-Furness. Ingham
- Meyers, Frederick, Barnsley, York, Watch Maker. Jan 6 at 11 at the Royal Hotel, Church st, Barnsley. Marshall and Ownsworth, Barnsley
- Mills, Walter, Beckenham, Kent, out of business. Jan 3 at 3 at 111, Chesapeake. Smedley
- Morgan, Samuel, Newport, Monmouth, Commercial Traveller. Jan 5 at 12 at offices of Davies, Bank chambers, Newport
- Morton, John Allen, Newcastle-upon-Tyne, Whitesmith. Jan 7 at 12 at offices of Garbutt, Collingwood st, Newcastle-upon-Tyne
- Murphy, Martin, Tunstall, Stafford, Beerhouse Keeper. Jan 6 at 10.30 at offices of Hollinshead, Market st, Tunstall
- Nyers, Henry Ward, Hunslet, Leeds, Draper. Jan 4 at 2 at offices of Kinsley, East parade, Leeds
- Reynolds, Thomas, West Bromwich, Stafford, Haulier. Jan 6 at 11 at offices of Stokes, Friary st, Dudley
- Perinton, William, Whitehaven, Cumberland, Shoe Maker. Jan 7 at 12 at offices of Aitor, New Lowther st, Whitehaven
- Peterson, George, New North rd, Upholsterer. Jan 13 at 11 at offices of Morris, Paternoster row
- Perkins, John, Northampton, Grocer. Jan 6 at 11 at offices of Becke, Market square, Northampton
- Pawley, Anthony Mazur, Bradford, York, Joiner. Jan 5 at 11 at offices of Watson and Dickens, Market st, Bradford
- King, Edward, Newington, Kent, Carter. Jan 7 at 11 at offices of Gibson, High st, Sittingbourne
- Roberts, Jane, Bettwagarron, Carnarvon, Licensed Victualler. Jan 17 at 1 at offices of Jones, Market st, Carnarvon
- Rushford, Joseph, Evenwood, Durham, General Dealer. Jan 14 at 2 at the Fleets Hotel, Darlington. Hunton, Richmond
- Scrimbe, Samuel Simpson, Hill st, Peckham, Gent. Jan 4 at 2 at offices of Wontner and Sons, Cloak lane, Cannon st
- Smith, Charles, Manchester, Pawnbroker's Assistant. Jan 6 at 2 at offices of Hodgson, Tib lane, Manchester
- Sedman, James Henry, East rd, Hoxton, Surgeon. Jan 7 at 12 at offices of Foster, Birchlin lane
- Strickert, Frederick Ludvig, North Shields, Northumberland, Boarding House Keeper. Jan 4 at 2 at offices of Smith, Saville st, North Shields
- Sutton, Henry Morrison, Norwich, Draper. Jan 7 at 3 at offices of Sadd and Linay, Theatre st, Norwich
- Talbot, Benjamin, Sparkbrook, Worcester, Upholsterer. Jan 6 at 13 at offices of Hawkes and Weekes, Temple st, Birmingham
- Tattersall, John, Manchester, Druggist. Jan 7 at 3 at offices of Horner and Co, Lloyd st, Manchester
- Thomas, William, Merthyr Tydfil, Glamorgan, Tobaccoconist. Jan 5 at 3 at offices of Beddoe, Victoria st, Merthyr Tydfil
- Thewlis, Abel, and George Thewlis, jun, Meltham, York, Woollen Cloth Manufacturers. Jan 10 at 11 at the Ramsden's Arms Inn, Cross Church st, Huddersfield. Kidd, Holmfirth
- Turner, George, Tenter st south, Minorities, Bottle Merchant. Jan 6 at 3 at Mullen's Hotel, Ironmonger lane. Pullen, Basinghall st
- Wall, George, Bell st, Edgware rd, Hatter. Jan 5 at 4 at Ridler's Hotel, Holborn. York, Marylebone
- Warman, Robert, Stanford, Norfolk, Cwaseper. Jan 6 at 3 at offices of Grigson and Robinson, Watten
- Welch, Eleanor, Chestham, Lancashire, Milliner. Jan 17 at 3 at offices of Dewhurst, Victoria st, Manchester
- Wilkins, Thomas, Kineton, Warwick, Innkeeper. Jan 6 at 11 at the Swan Inn, Kineton. Warden, Stratford-on-Avon
- Wilkinson, Moses, and Aaron Wilkinson, Halifax, York, Worsted Manufacturers. Jan 5 at 11 at the White Lion Hotel, Halifax. Holroyde and Smith
- Willers, Emily Matilda, Ongar, Essex, Schoolmistress. Jan 7 at 1 at offices of Preston, Mark lane
- Williams, Charles MacLurgart, Pillongley, Warwick, Colliery Contractor. Jan 10 at 12 at offices of Hughes and Masser, Little Park st, Coventry
- Williams, Joseph, Sirhowy, Monmouth, Sub-traffic Manager. Jan 10 at 3 at the Griffin Hotel, Brynmawr. Jones, Abergevenny
- Withers, John Henry, Honiton, Devon, Innkeeper. Jan 7 at 12 at the Bell Hotel, Honiton. Trewes
- Wolf, Aaron, Ladbroke grove rd, Notting hill, Merchant. Jan 3 at 12 at offices of Challis and Co, Clement's lane. Wickes, Old Broad st
- Wood, Angus, and James Wood, Manchester, Boot Manufacturers. Jan 12 at 3 at offices of Cobbett and Co, Brown st, Manchester
- Wood, William, Tattershall Thorpe, Lincoln, Farmer. Jan 5 at 1 at offices of Bean, Church yard, Boston
- Wright, Robert William, and Charles James Wright, Tokenhouse yard. Jan 12 at 2 at offices of Gamble and Harvey, Gresham buildings, Basinghall st. Blewitt and Tyler, New Broad st
- TUESDAY, Dec. 28, 1875.
- Anthony, David, Ystradgwydol, Glamorgan, Greenegrocer. Jan 13 at 12 at offices of Thomas, Taff st, Forynpridd
- Badcock, Cornelius, jun, Wouding, Norfolk. Jan 8 at 3 at offices of Sadd and Linay, Theatre st, Norwich
- Barrett, Charles Heath, Gravesend, Kent, Licensed Victualler. Jan 10 at 2 at offices of Cotton, Coleman
- Bickley, Henry, Leicester, Tobaccoconist. Jan 13 at 2 at offices of Shires, Mark st, Leicester
- Bray, William Roe, Launceston, Cornwall, Wine Merchant. Jan 11 at 12 at offices of Square, George st, Plymouth
- Bunche, William, Great Dover st, Southwark, no occupation. Jan 11 at 2 at offices of Poole, Bartholomew close
- Calley, William, Brixham, Devon, Ironmonger. Jan 14 at 11.30 at the Seven Stars Hotel, Totnes. Kallout, Totnes
- Cave, Albert, Northampton, Plumber. Jan 7 at 12 at offices of Jeffery Market square, Northampton
- Chapman, Molsbury Vine, Newborough, Northampton. Farmer. Jan 15 at 11 at offices of Rutland and Graves, Priestgate, Peterborough
- Classe, Henry Cattle, Rotherham, York, Grocer. Jan 11 at 12 at offices of Badgers and Rhodes, High st, Rotherham
- Costes, John, Liverpool, Licensed Victualler. Jan 8 at 3 at offices of Connor, Ranelagh st, Liverpool. Nordon, Liverpool
- Collins, William, Murcott, Northampton, Farmer. Jan 7 at 3 at offices of Becke, Market square, Northampton
- Coruborough, Elijah, Dunchurch, Warwick, Cattle Dealer. Jan 11 at 3 at the Horse Shoe Hotel, Rugby. Wood and Hare, Basinghall st
- Croft, Thomas, Copperhouse, Faircliff, Cornwall, Hotel Keeper. Jan 6 at 2 at offices of Trevone, St. Mary's st, Truro
- Crowhurst, Walter, East Stonehouse, Devon, Coal Merchant. Jan 10 at 11 at offices of Elworthy and Co, Courtenay st, Plymouth
- Cumberland, William Simpson, Bradford, York, Ale Merchant. Jan 10 at 2.30 at offices of Neill, Kirkcaldy, Bradford
- Daniel, Augustus Warwick Bampfyde, Kenbury, Devon, Gent. Jan 11 at 2 at the New London Hotel, Exeter, in lieu of the place originally named
- Davis, Daniel, Llwydypia, Glamorgan, Grocer. Jan 11 at 11 at offices of Alexander Brothers, St. Mary st, Cardiff. Davis, Cardiff
- Dunn, William, North Ormesby, York, Grocer. Jan 30 at 11 at offices of Toale, Albert rd, Middlesborough
- Elliott, Henry, Carlisle, Foreman of Telegraph Works. Jan 11 at 3 at offices of Wannop, Carruther's court, Scotch st, Carlisle
- Feigan, John Albert, Manchester, Manager of the British Imperial Life Insurance Corporation (Limited). Jan 12 at 3 at offices of Green, Brasenose st, Manchester. Smith, Manchester
- Finberg, Mark, Middlesborough, York, Jeweller. Jan 10 at 12 at offices of North and Poskell, Station st, Middlesborough
- Fulford, Henry, Acoc's green, Worcester, out of business. Jan 12 at 12 at the Great Western Hotel, Monmouth st, Birmingham. Jelf, Birmingham
- Hackett, Joseph, Blackheath, Rowley Regis, Stafford, Colliery Manager. Jan 10 at 11 at the Talbot Hotel, Oldbury. Shakespeare, Oldbury
- Hackett, William, Blackheath, Rowley Regis, Stafford, Licensed Victualler. Jan 10 at 12 at the Talbot Hotel, Oldbury. Shakespeare, Oldbury
- Hawkins, Lamartine, Trowbridge, Wilts, Baker. Jan 10 at 12 at offices of Rodway, Fore st, Trowbridge
- Haigh, Benjamin, East Ferry rd, Cabitt town, Coppersmith. Jan 17 at 2 at offices of Swaine, Chesapeake
- Hemsworth, Harry Gibbons, Exton, Rutland, Farmer. Jan 12 at 11 at the Stamford Hotel, Stamford. Law, Stamford
- Holloway, Edward, and William Albert Jones, Regent st, Mantle Makers. Jan 12 at 11 at offices of Dyle and Leader, Fleet st. Woodcock, New Inn
- Holt, Richard, Bradford, York, Stuff Merchant. Jan 15 at 10 at offices of Berry and Robinson, Charles st, Bradford
- Hope, William, Causeway head, Cumberland, Blacksmith. Jan 12 at 11 at offices of Currie, Bank chambers, Bank st, Carlisle. Lazenby, Wigton

Ingledeu, Thomas, Middlesbrough, York, Iron Manufacturer. Jan 11 at 2 at the Queen's Hotel, Middlesbrough.

Jackson, Fannie, Bradford, York, Schoolmistress. Jan 5 at 11 at offices of Lees and Co, Bradford.

Johnsen, Samuel, Stoke-upon-Trent, Stafford, Boot Dealer. Jan 7 at 2 at offices of Welch, Caroline st, Longton.

Jones, Edmund, Caerphilly, Glamorgan, Builder. Jan 10 at 11 at offices of Alexander Brothers, St Mary st, Cardiff.

Jones, William, Manchester, Tobaccocon. Jan 14 at 3 at offices of Smith, Braxenstone st, Manchester.

Joyce, Peter, Heckmondwike, York, Greengrocer. Jan 13 at 12 at offices of Woolley, Exchange buildings, Batley.

Kirton, (and not Kinton, as erroneously printed in Gazette of 21st inst), William, Jun, Holbeach, Lincoln, Wheelwright. Jan 6 at 3 at the Chequers Hotel, Holbeach.

Kyrke, James Arnold, Albert Grove, South Acton, Clerk. Jan 17 at 3 at offices of Maniere, Ampton place, Gray's inn rd.

Leadbeater, Henry, Huddersfield, York, Joiner. Jan 10 at 3 at offices of Burdakin and Co, Norfolk st, Sheffield.

Lee, Charles, Marchmont st, Burton Crescent, Fishmonger. Jan 13 at 11 at the Three Tuns Tavern, Billingsgate.

Limer, Frederick, Wisbech, Cambridge, Coach Body Maker. Jan 10 at 2.30 at offices of Taylor and Co, Furnival's inn, Holborn.

Linnell, Stephen, Bishop's Stortford, Hertford, Commercial Traveller. Jan 12 at 11 at the Chequers Inn, Bishop's Stortford.

March, George, Birmingham, Outfitter. Jan 10 at 3 at offices of Parry, Bennett's hill, Birmingham.

Nicoll, George Mitchell, Lincoln, Hairdresser. Jan 8 at 11 at offices of Harrison, Bank st, Lincoln.

Nock, Joseph, and James Hand, Tipton, Stafford, Builders. Jan 12 at 11 at offices of Travis, Church lane, Tipton.

Palmer, Frank, Smith st, King's rd, Chelsea, Carpenter. Jan 4 at 1 at 82, Rochester row, Westminster.

Parry, Samuel John, Liverpool, Commission Agent. Jan 11 at 3 at offices of Gibson and Bolland, South John st, Liverpool.

Plimpton, Edward, Lombard court, Gracechurch st, Commission Agent. Jan 12 at 3 at offices of Neal, Pinners' Hall, Old Broad st.

Pool, James, Harley Wintney, Hants, Builder. Jan 12 at 12 at the George Inn, Odham.

Pudney, James, Jun, Hermandsey st, Woolstapler. Jan 18 at 11 at offices of Fuller, Harp lane, Great Tower st.

Purchase, John James, Curtain rd, Shoreditch, Perambulator Manufacturer. Jan 7 at 3 at offices of Swaine, Chapside.

Ros, George, Shawn Riggs, nr Whitby, York, Farmer. Jan 10 at 11 at offices of Thornton, Whitby.

Salvidge, George, Bedminster, Somerset, Maltster. Jan 7 at 12 at offices of Triggs, Broad st, Bristol.

Senrie, Edward, Gracechurch st, Merchant. Jan 4 at 3 at 15, Queen Victoria st, Howell, Chapside.

Sellick, Daniel, Cardiff, Glamorgan, Builder. Jan 10 at 12 at offices of Evans, High st, Cardiff.

Simmons, George, Gateshead, Durham, Cabinet Manufacturer. Jan 12 at 2 at offices of Winship, Grainger st, Newcastle-upon-Tyne.

Smith, James, Huddersfield, York, Watch Maker. Jan 10 at 3 at offices of Ramsden and Sykes, John William st, Huddersfield.

Souter, John Clement, Junction rd, Holloway, Doctor of Medicine. Jan 18 at 3 at offices of Lynch, Great James st, Bedford row.

Stephenson, Thomas, Morley, York, Butcher. Jan 12 at 3 at offices of Ferns, Bank st, Leeds.

Taylor, Alfred, Stoke-upon-Trent, Stafford, Printer. Jan 6 at 4 at the Royal Hotel, Crewe.

Taylor, William, Birkenhead, Cheshire, Ironmonger. Jan 8 at 11 at offices of Downham, Market st, Birkenhead.

Thomas, John, sen, Middlesbrough, York, Ironmaster. Jan 8 at 11 at the Queen Hotel, Zetland rd, Middlesbrough.

Timms, Richard Charles, Werrwick, Omnibus Driver. Jan 12 at 12 at offices of Sanderson, Church st, Warwick.

Tucker, William Thomas Horwill, Kilburn park rd, Grocer. Jan 8 at 11 at offices of Stevens, Edgware rd.

Vine, James, Leeds, Club Manager. Jan 10 at 3 at offices of Hoyle, Albion st, Leeds.

Walter, Dustin Allyne, Scarborough, York, Schoolmaster. Jan 3 at 12 at the Bull Hotel, Scarborough.

Wilcox, Joseph, Bolton, Lancashire, Cotton Waste Dealer. Jan 12 at 3 at offices of Scowcroft, Town Hall square, Bolton.

Winn, Anthony, Castledorf, York, Grocer. Jan 11 at 3 at the Commercial Hotel, Albion st, Leeds.

Young, Pastenson, Penrith, Cumberland, Farmer. Jan 7 at 2 at offices of Harrison and Little, Penrith.

Lamsony, Penrith

**REAL
TURKEY CARPETS**
IMPORTED BY
TRELOAR & SONS.
69, LUDGATE-HILL, LONDON.

**EDE AND SON,
ROBE MAKERS.**

BY SPECIAL APPOINTMENT,
to Her Majesty, the Lord Chancellor, the Whole of the Judicial Bench,
Corporation of London, &c.

SOLICITORS' AND REGISTRARS' GOWNS.
BARRISTERS' AND QUEEN'S COUNSEL'S DITTO.

CORPORATION ROBES, UNIVERSITY & CLERGY GOWNS, &c
ESTABLISHED 1659.

94, CHANCERY LANE, LONDON.

MESSRS. DEBENHAM, TEWSON & FARMER'S
LIST OF ESTATES AND HOUSES TO BE SOLD OR LET, including Landed Estates, Town and Country Residences, Hunting and Shooting Quarters, Farms, Ground Rents, Rent Charges, House Property and Investments generally, is published on the first day of each month, and may be obtained, free of charge, at their offices, 80, Chapside, E.C., or will be sent by post in return for two stamps.—Particulars for insertion should be received not later than four days previous to the end of the preceding month.

Sales for the Year 1876.

MESSRS. DEBENHAM, TEWSON, & FARMER
beg to announce that their SALES OF LANDED ESTATES, Town, Suburban, and Country Houses, Business Premises, Building Land, Ground-Rents, Reversions, and other Properties, for the Year 1876, will be held at the Auction Mart, Tokenhouse-yard, near the Bank of England, in the City of London, as follows:—

Tuesday, January 11	Tuesday, May 9	Tuesday, July 25
Tuesday, January 25	Tuesday, May 16	Tuesday, August 1
Tuesday, February 8	Tuesday, May 23	Tuesday, August 8
Tuesday, February 22	Tuesday, May 30	Tuesday, August 15
Tuesday, March 7	Tuesday, June 6	Tuesday, August 22
Tuesday, March 14	Tuesday, June 13	Tuesday, October 3
Tuesday, March 21	Tuesday, June 20	Tuesday, October 10
Tuesday, March 28	Tuesday, June 27	Tuesday, October 17
Tuesday, April 4	Tuesday, July 4	Tuesday, October 24
Tuesday, April 11	Tuesday, July 11	Tuesday, November 14
Tuesday, April 18	Tuesday, July 18	Tuesday, November 21
Tuesday, May 2	Tuesday, July 25	Tuesday, December 5

Auctions can also be held on other days besides those above specified. Due notice in any case should be given, in order to insure proper publicity; the period between such notice and the auction must, of course, considerably depend upon the nature of the property intended to be sold.—80, Chapside, London, E.C.

LINCOLN'S-INN-FIELDS.

An important and valuable Freehold Property, occupying the very large superficial area of nearly 10,000 feet, in the immediate vicinity of the New Law Courts, and producing a present gross rental of only about \$500 per annum, which, at the expiration of the existing leases and agreements, might be considerably increased, and to be sold by direction of the Executors and Trustees under the will of the late Mr. Alderman Copeland.

RUSHWORTH, ABBOTT, & RUSHWORTH
have received instructions to SELL by AUCTION, at the MART, Tokenhouse-yard, on WEDNESDAY, JANUARY 19th, at ONE 1/2 TWO O'CLOCK, in One Lot, the valuable FREEHOLD PROPERTY, comprising the substantial and spacious house, No. 59, Lincoln's-fields, on the west side thereof, to which it has a frontage of about 30ft., with a very large open garden in the rear, and yard, stabling, and coach-houses beyond, with another frontage to and approach from Chapside-place, leading from Duke street. The house is let in suites of offices, a portion on agreements for terms which expire in 1883, and the remainder to yearly tenants. As the value of offices in the immediate vicinity of the New Courts of Justice and further contemplated improvements must of necessity become very great, the above property is recommended to trustees and capitalists as a first-class investment. The stabling and remaining buildings are let upon lease to highly respectable tenants.

May be viewed with permission of the tenants, and particulars obtained of

ALEXANDER MARTIN, Esq., Solicitor, Bridge-chambers, 171, Queen Victoria-street, Blackfriars;
and of the Auctioneers, 22, Savile-row, W., and 19, Change-alley, E.C.

CARR'S, 265, STRAND.—
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